

**OFFICIAL JOURNAL  
OF THE  
SENATE  
OF THE  
STATE OF LOUISIANA**

---

**ELEVENTH DAY'S PROCEEDINGS**

**Twenty-Ninth Regular Session of the Legislature  
Under the Adoption of the  
Constitution of 1974**

Senate Chamber  
State Capitol  
Baton Rouge, Louisiana

Wednesday, April 23, 2003

The Senate was called to order at 9:00 o'clock A.M., by Hon. John Hainkel, President of the Senate.

**ROLL CALL**

The roll being called, the following members answered to their names:

**PRESENT**

Mr. President	Ellington	Malone
Adley	Fontenot	Michot
Barham	Hines	Mount
Cain	Hollis	Romero
Chaisson	Hoyt	Schedler
Cravins	Jones, B	Smith
Dardenne	Jones, CD	Tarver
Dean	Lambert	Theunissen
Dupre	Lentini	Thomas
Total—27		

**ABSENT**

Bajoie	Gautreaux	Johnson
Bean	Heitmeier	Marionneaux
Boissiere	Holden	McPherson
Fields	Irons	Ullo
Total—12		

The President of the Senate announced there were 27 Senators present and a quorum.

**Prayer**

The prayer was offered by Senator Adley, following which the Senate joined in pledging allegiance to the flag of the United States of America.

**Reading of the Journal**

On motion of Senator Lambert, the reading of the Journal was dispensed with and the Journal of yesterday was adopted.

**Morning Hour**

**Messages from the Governor**

The following messages from the Governor were received and read as follows:

**STATE OF LOUISIANA  
Office of the Governor**

April 22, 2003

To the Honorable President and members of the Senate:

Please be advised that the following individuals have been commissioned as Notaries Public for the parishes indicated through April 11, 2003. In compliance with Article IV, Section 5(H)(3) of the Louisiana Constitution of 1974, I hereby present them for your review.

Sincerely,  
M. J. "MIKE" FOSTER, JR.

**Acadia**

Gina L. Edwards  
1072 Osage Trail  
Church Point, La 70525

Susan S. Guillot  
326 N. Ave. G  
Crowley, La 70526

Tina G. Leblanc  
601 Line Oak  
Mermentau, La 70556

Toni Thibodeaux  
309 N. Parkerson Ave.  
Crowley, La 70526

**Ascension**

Myma E. Arroyo  
11851 Wentling Ave., Ste. A  
Baton Rouge, La 70816

Tracy Cela  
13363 Dooley Rd.  
Gonzales, La 70737

Delores Fernandez  
610 St Peters Alley  
Donaldsonville, La 70346

Deanna J. Huber  
14471 George Rouyea Rd.  
Gonzales, La 70737

**Bossier**

Yvonne Martin  
100 Woodrun Place  
Bossier City, La 71111

**Caddo**  
Lee Aronson  
720 Travis  
Shreveport, La 71101

Brenda K. Ballard  
2920 Truly Lane  
Shreveport, La 71118

Sheri D. Barmore  
1845 Line Ave.  
Shreveport, La 71101

Barbara M. Capers  
3744 Woodrow Ave.  
Shreveport, La 71109

Kelly Horace Cook  
2142 Airline Dr.  
Bossier City, La 71111

Cherie J. Fisher  
4615 Monkhouse Dr., Ste. A-6  
Shreveport, La 71109-6113

Amber M. Floyd  
880 Bert Kouns, Ste. D  
Shreveport, La 71118

Doris S. Gigax  
3522 Dewberry Dr.  
Shreveport, La 71118

Cynthia S. Hobgood  
352 Parsons Green  
Shreveport, La 71106

Ruth W. Johnston  
9369 Gay Ln.  
Oil City, La 71061

Arthur E. Kline  
7627 Pines Rd.  
Shreveport, La 71129

Dianne M. Patrick  
10152 La Hwy. 1  
Mooringsport, La 71060

Brenda Bates Rhodes  
2056 Legardy  
Shreveport, La 71107

Amy Robertson  
1331 E. Bert Kouns Ind. Loop  
Shreveport, La 71105

Sandra E. Sayles  
185 Vidor Ln.  
Shreveport, La 71105

Donna S. Sheffield  
9412 Prestonwood  
Shreveport, La 71115

Pamela G. Smart  
400 Travis St., Ste. 330  
Shreveport, La 71101

John H. Smith  
151 Freestate Blvd, Ste. B  
Shreveport, La 71107

Lillie Percy Speed  
6230 Sonhaven Dr.  
Shreveport, La 71119

Christen M. Sutherland  
P.O. Box 4072  
Shreveport, La 71134

**Desoto**  
Melissa Sculthorpe  
506 W.B. Lewing Rd.  
Many, La 71449

# Page 2 SENATE

April 23, 2003

## 11th DAY'S PROCEEDINGS

### East Baton Rouge

Celia M. Alexander  
11585 Lake Sherwood Ave. North  
Baton Rouge, La 70816

Barbara Irwin Messina  
2431 S. Acadian Thrwy. #600  
Baton Rouge, La 70808

### Jackson

Sherry Farnell  
180 E. J. Murphy Rd.  
Eros, La 71238

Joseph A. Poblick  
400 Poydras St., Ste. 2300  
New Orleans, La 70130

Karen K. Ruppert  
P.O. Box 1111  
Jennings, La 70546

David A. Gleason  
102 Riesling Circle  
Broussard, La 70518

Joy Cantrelle Rabalais  
P.O. Box 4305  
Lafayette, La 70502

### Lafourche

Congetta F. Arnette  
765 North Service Rd.  
Raceland, La 70394

### Lincoln

Martha J. Smith  
901 North Service Rd. East  
Ruston, La 71270

Sherry W. Palmer  
525 Florida Blvd.  
Denham Springs, La 70726

### Natchitoches

Rebekah Borders  
112 Texas St.  
Natchitoches, La 71457

Andrea Jane Wilkes  
2540 Severn Ave., Ste. 400  
Metairie, La 70002

### Richland

Johnny K. Pippens  
P.O. Box 66  
Delhi, La 71232

Melinda Guilbeau Trahan  
128 Coach Couvillion Rd.  
Arnaudville, La 70512

Shannon L. Gammill  
719-d S. Burnside Ave.  
Gonzales, La 70809

### Evangeline

Mathilda J. Guidry  
P.O. Box 598  
Ville Platte, La 70586

### Jefferson

Patricia A. Bethancourt  
1440 Canal St., Rm. 2417  
New Orleans, La 70112

### Jefferson Davis

Angela M. Boudreaux  
1513 Third St.  
Lake Arthur, La 70549

### Lafayette

Bridget Rochelle Broussard  
4023 Ambassador Caffery, Ste. 100  
Lafayette, La 70503

Donna Mader  
303 Bernard Dr.  
New Iberia, La 70560

Paula R. Serrett  
1013 Bayou Bend Circle  
Breaux Bridge, La 70515

Michelle A. Leblanc  
108 N. Barrios St.  
Lockport, La 70374

### Livingston

Rose L. Olivier  
451 Florida St., 19th Fl.  
Baton Rouge, La 70801

Margaret Keith Posey  
P.O. Box 95  
Albany, La 70711

### Orleans

Aimee A. Dugas  
3437 Chestnut St.  
New Orleans, La 70115

### Rapides

Linda G. Cheek  
1715 Military Hwy.  
Pineville, La 71360

### St Landry

Angela F. Manuel  
137 Jeanne St.  
Eunice, La 70535

### St Martin

Monique Leblanc  
1038 C Leblanc Rd.  
Breaux Bridge, La 70517

### St Tammany

Shelly L. Ganczak  
1609 Rue Lemans  
Slidell, La 70458

Cortney Leblanc  
200 N. Columbia St.  
Covington, La 70433

Patricia Brooks Rodriguez  
301 N. Columbia St.  
Covington, La 70433

### Tangipahoa

Gretchen H. Ockman  
14267 Woodlands Dr., #2  
Hammond, La 70401

### Vernon

Juliett Mcphaul Stephan  
825 Bellrichard Ave.  
Fort Polk, La 71459

Candice L. Jenkins  
534 East Boston St.  
Covington, La 70433

Jade C. McKeough  
5100 Village Walk, Ste. 300  
Covington, La 70433

Charles T. Williams  
1590 West Causeway Approach  
Mandeville, La 70448

### Vermilion

Rodney Lemoine  
12017 S. La Hwy 708  
Kaplan, La 70548

### Winn

Sherrie Caskey  
501 Hwy. 501  
Goldonna, La 71031

## Introduction of Senate Bills and Joint Resolutions

Senator Lambert asked for and obtained a suspension of the rules for the purpose of introducing and reading the following Senate Bills and Joint Resolutions a first and second time and referring them to committee.

### SENATE BILL NO. 1043—

BY SENATOR CAIN

#### AN ACT

To designate a portion of Louisiana Highway 394 in Beauregard Parish as the "Clayton Iles Memorial Highway".

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Transportation, Highways, and Public Works.

## Introduction of Resolutions, Senate and Concurrent

Senator Lambert asked for and obtained a suspension of the rules for the purpose of introducing and reading the following Resolutions, Senate and Concurrent, a first and second time and acting upon them as follows:

### SENATE RESOLUTION NO. 19—

BY SENATOR SCHEDLER

#### A RESOLUTION

To commend the Louisiana Occupational Therapy Association for its achievements and to designate April 23, 2003 as "Louisiana Occupational Therapy Association Day at the Louisiana Senate".

On motion of Senator Schedler, the resolution was read by title and adopted.

### SENATE CONCURRENT RESOLUTION NO. 54—

BY SENATOR MOUNT

#### A CONCURRENT RESOLUTION

To commend and congratulate the Ruth Chapter No. 16 of the Order of the Eastern Star on its 100th anniversary and to recognize and acknowledge its numerous contributions and efforts to improve the quality of life for the residents of Calcasieu Parish and the state.

The resolution was read by title. Senator Mount moved to adopt the Senate Concurrent Resolution.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. President	Fontenot	Michot
Adley	Hines	Mount
Barham	Hollis	Romero
Cain	Hoyt	Schedler
Chaisson	Jones, B	Smith
Dardenne	Jones, CD	Tarver
Dean	Lambert	Theunissen
Dupre	Lentini	Thomas
Ellington	Malone	
Total—26		

#### NAYS

Total—0

#### ABSENT

Bajoie	Gautreaux	Marionneaux
Bean	Heitmeier	McPherson
Boissiere	Holden	Ullo
Cravins	Irons	
Fields	Johnson	
Total—13		

The Chair declared the Senate had adopted the Senate Concurrent Resolution and ordered it sent to the House.

### Senate Concurrent Resolutions on Second Reading To Be Referred

The following Senate Concurrent Resolutions to be referred were taken up and acted upon as follows:

#### SENATE CONCURRENT RESOLUTION NO. 50— BY SENATOR IRONS

##### A CONCURRENT RESOLUTION

To designate May 7, 2003 as "Louisiana Day to Prevent Teen Pregnancy and Score Big".

On motion of Senator Adley, the resolution was read by title and returned to the Calendar, subject to call.

### House Bills and Joint Resolutions on Second Reading to be Referred

The following House Bills and Joint Resolutions were read by title and referred to committees as follows:

#### HOUSE BILL NO. 23—

BY REPRESENTATIVE ILES

##### AN ACT

To name United States Highway 171, from the city of Lake Charles to the city of Shreveport, except for that portion named the Johnny B. Hall Memorial Highway, the Purple Heart Highway; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Transportation, Highways, and Public Works.

#### HOUSE BILL NO. 65—

BY REPRESENTATIVE JOHNS

##### AN ACT

To amend and reenact Civil Code Article 2628, relative to immovable property; to provide for the reduction of terms for options and rights of first refusal exceeding ten years; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Judiciary A.

#### HOUSE BILL NO. 69—

BY REPRESENTATIVE BALDONE

##### AN ACT

To amend and reenact R.S. 32:1735(A), relative to the towing of motor vehicles; to provide relative to the selection of a licensed towing company; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Transportation, Highways, and Public Works.

#### HOUSE BILL NO. 92—

BY REPRESENTATIVES PINAC, BALDONE, AND PEYCHAUD

##### AN ACT

To enact Chapter 8 of Code Title VII of Code Book III of Title 9 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 9:3195 through 3199, and R.S. 37:1455(A)(33), relative to real estate; to require certain disclosures; to provide for definitions; to provide for applicability; to provide for exemptions; to provide for the duties of the seller; to provide for conditions for termination of the real estate contract; to provide relative to information contained in the property disclosure document; to provide relative to the liability of the seller; to provide relative to the duties and liability of a real estate licensee; to provide relative to other statutory disclosure obligations; to provide for certain penalties for real estate licensees, registrants, and certificate holders; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Commerce, Consumer Protection and International Affairs.

#### HOUSE BILL NO. 178—

BY REPRESENTATIVE BALDONE

##### AN ACT

To amend and reenact R.S. 33:1448(G) and to enact R.S. 33:1448(K), relative to group insurance premiums; to provide for the payment of insurance premiums for retired sheriffs and deputy sheriffs in Terrebonne Parish; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Insurance.

#### HOUSE BILL NO. 193—

BY REPRESENTATIVE PINAC

##### AN ACT

To enact R.S. 37:1431(33) and 1470, relative to realtors; to provide for definitions; to provide relative to the Louisiana Real Estate Commission; to provide for the adoption and distribution of certain pamphlets; to provide relative to the duties of a licensee; to provide relative to liability; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Commerce, Consumer Protection and International Affairs.

**HOUSE BILL NO. 239—**

BY REPRESENTATIVES DANIEL, KATZ, WALSWORTH, AND L. JACKSON

**AN ACT**

To amend and reenact R.S. 40:5.5(E) and to enact R.S. 40:5.5(G), relative to sanitary inspections; to change the definition of food service establishments for food safety certificates; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Health and Welfare.

**HOUSE BILL NO. 452—**

BY REPRESENTATIVE FLAVIN

**AN ACT**

To enact R.S. 37:1446(H), relative to real estate licensees; to provide for factors to determine independent contractor status of salespersons and associate brokers; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Commerce, Consumer Protection and International Affairs.

**HOUSE BILL NO. 567—**

BY REPRESENTATIVE CRANE AND SENATOR THEUNISSEN

**AN ACT**

To amend and reenact R.S. 17:45(A)(introductory paragraph) and (B) and to enact R.S. 17:45(A)(4) and (C), relative to promotions of teachers in special schools; to provide that a teacher promoted to a higher position shall not gain permanent status in the higher position; to require teacher certification and other endorsements for certain promotions; to provide exceptions; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Education.

**HOUSE BILL NO. 581—**

BY REPRESENTATIVES DEWITT AND BRUCE

**AN ACT**

To amend and reenact R.S. 33:4161, relative to public utilities; to include emergency medical services in the definition of revenue-producing public utility; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Commerce, Consumer Protection and International Affairs.

**HOUSE BILL NO. 706—**

BY REPRESENTATIVES MARTINY AND SCHNEIDER

**AN ACT**

To enact R.S. 15:574.4(H)(4)(r), relative to conditions of parole; to provide that the Board of Parole may require additional conditions of parole; to provide for agreements to searches of the person, personal effects, property, place of residence, or vehicle of that person; to provide relative to the conducting of the searches; to provide that the searches may be conducted with or without a warrant of arrest or with or without a search warrant under certain conditions; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Judiciary B.

**HOUSE BILL NO. 707—**

BY REPRESENTATIVES MARTINY AND SCHNEIDER

**AN ACT**

To enact Code of Criminal Procedure Article 895(A)(13), relative to conditions of parole; to provide that the court may require certain additional conditions of probation; to provide for agreements to searches of the person, personal effects, property, place of residence, or vehicle of that person; to provide relative

to conducting of the searches; to provide that the searches may be conducted with or without a warrant of arrest or with or without a search warrant under certain conditions; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Judiciary B.

**HOUSE BILL NO. 725—**

BY REPRESENTATIVE BOWLER

**AN ACT**

To amend and reenact R.S. 22:636.1(B)(2), 636.2(D), 1466(A), and 1471 and to enact R.S. 22:636.2(E), 636.9, and 636.10, relative to the cancellation of insurance policies; to provide for property and casualty insurance; to provide for automobile insurance; to provide for homeowner's insurance; to provide for premiums, deductibles, and surcharges; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Insurance.

**HOUSE BILL NO. 741—**

BY REPRESENTATIVE DAMICO

**AN ACT**

To enact R.S. 30:2025(D), relative to enforcement of environmental violations; to provide for an expedited enforcement program for minor environmental violations; to authorize the secretary to promulgate rules and regulations to provide for termination of expedited enforcement program; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Environmental Quality.

**HOUSE BILL NO. 742—**

BY REPRESENTATIVE DAMICO AND SENATOR FONTENOT

**AN ACT**

To amend and reenact R.S. 30:2012(D), relative to inspections of permitted facilities; to provide for the Department of Environmental Quality to implement an inspection strategy to ensure compliance by permitted facilities; to provide for the return of annual inspections requirements of permitted facilities; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Environmental Quality.

**HOUSE BILL NO. 763—**

BY REPRESENTATIVE DIEZ

**AN ACT**

To amend and reenact R.S. 32:1720(A), 1728.2(D)(introductory paragraph) and (E)(introductory paragraph), and 1728.3(D)(2) and (E)(introductory paragraph), relative to the Louisiana Towing and Storage Act; to provide relative to the mailing of certain notices; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Transportation, Highways, and Public Works.

**HOUSE BILL NO. 829—**

BY REPRESENTATIVE HAMMETT AND SENATOR BARHAM

**AN ACT**

To enact R.S. 49:191(14) and to repeal R.S. 49:191(12)(a), relative to the Department of Revenue including provisions; to provide for the re-creation of the Department of Revenue and the statutory entities made a part of the department by law; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Revenue and Fiscal Affairs.

**HOUSE BILL NO. 880—**

BY REPRESENTATIVE JOHN SMITH

AN ACT

To amend and reenact R.S. 47:302.5, 322.19, and 332.3, relative to the state sales and use tax on hotel occupancy levied in Vernon Parish; to provide for the allocation, administration, and use of such monies; to provide for an effective date; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Revenue and Fiscal Affairs.

**HOUSE BILL NO. 988—**

BY REPRESENTATIVES LEBLANC, PITRE, AND QUEZAIRE AND SENATOR MICHOT

AN ACT

To enact R.S. 40:1742.2, relative to mobility-impaired parking; to authorize parish governing authorities to grant variances in the times during which parking spaces are reserved at certain facilities; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Transportation, Highways, and Public Works.

**HOUSE BILL NO. 1022—**

BY REPRESENTATIVE DEVILLIER

AN ACT

To amend and reenact R.S. 14:27(B), relative to attempt to commit a crime; to provide for an attempt to commit the crime of arson; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Judiciary C.

**HOUSE BILL NO. 1023—**

BY REPRESENTATIVE DEVILLIER

AN ACT

To enact R.S. 13:5304(B)(10.1), relative to eligibility for the drug division probation program; to provide that a prior conviction or adjudication for simple battery shall not be the sole basis for denying eligibility for the drug division probation program; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Judiciary B.

**HOUSE BILL NO. 1024—**

BY REPRESENTATIVE DEVILLIER

AN ACT

To amend and reenact Code of Criminal Procedure Article 881.1, relative to criminal sentences; to provide for the reconsideration of the sentence in felony and misdemeanor cases; to provide for the procedure to be used in filing a motion to reconsider a sentence; to provide for the time limit to file such motion; to provide for the form of the motion; to provide for a contradictory hearing; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Judiciary C.

**HOUSE BILL NO. 1025—**

BY REPRESENTATIVES DEVILLIER AND BRUCE

AN ACT

To amend and reenact R.S. 14:93.2.1(B)(2), relative to child desertion; to change the criminal penalties for a second or subsequent conviction of child desertion; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Judiciary C.

**HOUSE BILL NO. 1046—**

BY REPRESENTATIVE DIEZ

AN ACT

To enact R.S. 32:1736, relative to the nonconsensual towing of motor vehicles; to provide for definitions; to require certain information on the billing invoice; to provide relative to certain written contracts; to provide relative to signage on certain private property; to require uniform fees; to provide relative to the enforcement of these provisions, including the inspection of billing invoices, contracts, and other information; to provide relative to penalties for noncompliance; to provide relative to a cause of action; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Transportation, Highways, and Public Works.

**HOUSE BILL NO. 1181—**

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 51:911.22(6) through (11), 911.26(F)(4) and (I), 911.28(A)(1), (2), (3), (4), (8), (9), and (10), 911.39, and 912.27(A) and (C), to enact R.S. 51:911.22(12), 911.24(J), (K), and (L), 911.26(B)(4) and (F)(8) and (9), and 912.31, and to repeal R.S. 51:911.28(C), relative to manufactured housing; to provide for definitions; to provide for the licensing of manufactured home brokers; to provide for an increase in certain fees; to provide for certain educational and insurance requirements; to provide for recusal of members of the Louisiana Manufactured Housing Commission; to provide for certain additional powers of the commission; to provide relative to penalties for violation of law and rules; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Commerce, Consumer Protection and International Affairs.

**HOUSE BILL NO. 1183—**

BY REPRESENTATIVES PINAC, ALEXANDER, BAUDOIN, BROOME, BRUCE, DANIEL, DURAND, FLAVIN, PIERRE, WALSWORTH, CROWE, DEVILLIER, FANNIN, FRITH, SCHWEGMANN, AND GARY SMITH AND SENATORS MICHOT, CRAVINS, AND HOYT

AN ACT

To enact Chapter 8-I of Title 45 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 45:844.21 through 844.25, relative to an information and referral system; to provide for the authority of the Public Service Commission, to create a planning board to make recommendations to the commission, to provide for the requirements of the system and procedure for its planning, implementation, operation, and associated costs; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Commerce, Consumer Protection and International Affairs.

**HOUSE BILL NO. 1259—**

BY REPRESENTATIVE ILES

AN ACT

To amend and reenact R.S. 9:315.45(B)(1), relative to drivers' licenses; to provide relative to the suspension of a driver's license for nonpayment of child support; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Judiciary A.

**HOUSE BILL NO. 1343—**

BY REPRESENTATIVE FLAVIN

**AN ACT**

To amend and reenact R.S. 37:1448, 1455(A)(11), 1457, and 1458 and to enact R.S. 37:1455(A)(33), 1456(C), and 1459, relative to licensing of real estate agents; to provide for penalties for unlicensed persons or persons whose license is suspended or revoked who engage in certain real estate activity; to provide for certain rules of procedure for administrative and judicial proceedings; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Commerce, Consumer Protection and International Affairs.

**HOUSE BILL NO. 1353—**

BY REPRESENTATIVES DOWNER, FAUCHEUX, MCDONALD, FUTRELL, ALEXANDER, ANSARDI, ARNOLD, BALDONE, BAUDOIN, BEARD, BOWLER, BROOME, BRUCE, CAPELLA, CRANE, CROWE, DAMICO, DANIEL, DARTEZ, DEWITT, DIEZ, DOERGE, DOWNS, DURAND, ERDEY, FANNIN, FARRAR, FLAVIN, FRITH, GLOVER, GREEN, GUILLORY, HAMMETT, HEATON, HEBERT, HILL, HONEY, HOPKINS, HUNTER, HUTTER, ILES, L. JACKSON, M. JACKSON, JOHNS, KATZ, KENNARD, KENNEY, LAFLEUR, LANCASTER, LANDRIEU, LEBLANC, MARTINY, MURRAY, NEVERS, ODINET, PIERRE, PINAC, PITRE, POWELL, QUEZAIRE, ROMERO, SALTER, SCALISE, SCHNEIDER, SCHWEGMANN, SHAW, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, SNEED, STELLY, STRAIN, THOMPSON, TOWNSEND, TUCKER, WADDELL, WALKER, WALSWORTH, WELCH, AND WRIGHT AND SENATOR THEUNISSEN

**AN ACT**

To amend and reenact R.S. 29:253(A)(2) and (3), relative to the Veterans' Affairs Commission; to provide for the nomination, appointment, and terms of office of the members; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Senate and Governmental Affairs.

**HOUSE BILL NO. 1427—**

BY REPRESENTATIVES POWELL, BAUDOIN, BRUCE, DEVILLIER, DOWNS, FRITH, FRUGE, HUDSON, ILES, KENNEY, MORRISH, JACK SMITH, AND STRAIN

**AN ACT**

To amend and reenact Part II-A of Chapter 5 of Title 3 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 3:471 through 478 and R.S. 36:629(E)(6), relative to strawberries; to provide for the membership, powers, and duties of the Strawberry Marketing Board; to provide for assessments on the sale of strawberries; to provide for powers of the commissioner of agriculture and forestry; to provide for penalties; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Agriculture.

**HOUSE BILL NO. 1460—**

BY REPRESENTATIVES TOOMY, CAPELLA, R. CARTER, DARTEZ, FAUCHEUX, GALLOT, HEATON, M. JACKSON, AND WELCH

**AN ACT**

To amend and reenact R.S. 26:932(5) and (7), 933(B)(introductory paragraph) and (C)(7), 934(5), 935(A), (B)(1)(a) and (2), and (C), and 939 and to enact R.S. 26:932(8) and (9), relative to the Responsible Vendor Program; to include the serving or selling of tobacco products in the program; to include holders of Retail Dealer Registration Certificates and Retail Dealer Permits in the program; to provide for definitions; to provide for suspension or revocation of a server's permit for selling or serving tobacco products to an underage person; to provide for exceptions to the suspension or revocation of a vendor's permit; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Judiciary C.

**HOUSE BILL NO. 1539—**

BY REPRESENTATIVES PINAC, BRUCE, AND FRITH

**AN ACT**

To amend and reenact R.S. 37:3393, 3394(B)(1)(b), (D), (G), and (I), 3395(A), 3396(C) through (F), 3397, 3398(A)(introductory paragraph), (1), and (6), (B), (C), and (D), 3400, 3401(A), (B), and (C)(2) and (3)(c), 3403, 3405, 3406(A), (B), and (D), 3407(A)(1), (2), and (5) and (B), 3408(A), (B), (C)(introductory paragraph) and (1), (D)(introductory paragraph), (1), and (2), and (F), 3409(A)(introductory paragraph) and (6) and (B) through (F), 3410, 3411, and 3413 and R.S. 48:443(A), to enact R.S. 37:3392(11) through (15), 3395(C) and (D), 3401(D), 3409(A)(8), (9), and (10), and to repeal R.S. 37:3392(5), (8), and (10), 3398(E), 3399, 3401(C)(1) and (3)(b), 3402, 3404, and 3406(C), relative to real estate appraisers; to provide for definitions; to provide for licensure of real estate appraiser trainees, residential certified real estate appraisers, and general certified real estate appraisers; to provide for the board and its powers and duties; to provide for applications and classes of licensure; to provide for examinations and education and experience requirements; to provide for license terms; to provide for nonresident licensees; to provide for renewals; to prohibit licensure to certain entities; to provide for the principal place of business of a licensee; to provide for the use and display of licenses; to provide for fees and disciplinary proceedings; to provide relative to standards, documents to be retained, false information, and penalties; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Commerce, Consumer Protection and International Affairs.

**HOUSE BILL NO. 1681—**

BY REPRESENTATIVE FLAVIN

**AN ACT**

To amend and reenact R.S. 37:1449(A) and (B), relative to real estate; to require registrants to provide copies of certain documents to parties of real estate transactions; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Commerce, Consumer Protection and International Affairs.

**Rules Suspended**

Senator Adley asked for and obtained a suspension of the rules for the purpose of taking up at this time.

**Senate Bills and Joint Resolutions  
on Second Reading  
Reported by Committees**

The following Senate Bills and Joint Resolutions reported by Committees were taken up and acted upon as follows:

**SENATE BILL NO. 47—**

BY SENATOR MCPHERSON

**A JOINT RESOLUTION**

Proposing to add Article I, Section 27 of the Constitution of Louisiana, relative to the declaration of rights; to preserve the freedom to hunt, fish and trap, subject to reasonable regulation, restriction, or prohibition imposed pursuant to law; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

Reported with amendments by the Committee on Natural Resources.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Natural Resources to Original Senate Bill No. 47 by Senator McPherson

AMENDMENT NO. 1

On page 1, line 4, delete "reasonable"

AMENDMENT NO. 2

On page 1, line 15, between "state" and "shall" insert the following:  
", including all aquatic life,"

AMENDMENT NO. 3

On page 1, line 15, delete "reasonable"

AMENDMENT NO. 4

On page 2, at the end of line 1, add the following:

"The provisions of this Section shall not alter the burden of proof requirements otherwise established by law for any challenge to a law or regulation pertaining to hunting, fishing or trapping the wildlife of the state, including all aquatic life."

On motion of Senator Romero, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

**SENATE BILL NO. 64—**

BY SENATOR SMITH AND REPRESENTATIVE TOWNSEND  
AN ACT

To amend and reenact R.S. 9:5701, relative to prescription; to provide a ten-year prescriptive period for educational debts owed to institutions of higher education; and to provide for related matters.

Reported with amendments by the Committee on Education.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Education to Original Senate Bill No. 64 by Senator Smith

AMENDMENT NO. 1

On page 1, line 3, after "owed to" insert "certain"

AMENDMENT NO. 2

On page 2, line 2, after "due to" insert "public"

On motion of Senator Theunissen, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

**SENATE BILL NO. 76—**

BY SENATOR ELLINGTON  
AN ACT

To enact R.S. 33:1448(K), relative to public officers; to provide with respect to sheriffs; to provide for group insurance for sheriffs and deputy sheriffs; to require the sheriff of LaSalle Parish to pay certain premium costs of specified group insurance for certain retired employees; to provide limitations; and to provide for related matters.

Reported favorably by the Committee on Local and Municipal Affairs. On motion of Senator Dupre, the bill was read by title, ordered engrossed, and passed to a third reading.

**SENATE BILL NO. 155—**

BY SENATOR SCHEDLER  
AN ACT

To amend and reenact R.S. 17:421.8(B), relative to school counselors; to provide relative to salary supplements for school counselors who hold a National Certified School Counselor credential issued by the National Board for Certified Counselors; to provide for verification; to require submission of

certain documentation to the Department of Education by a certain date; to provide relative to the payment of the initial supplement; and to provide for related matters.

Reported favorably by the Committee on Education. On motion of Senator Theunissen, the bill was read by title, ordered engrossed, and passed to a third reading.

**SENATE BILL NO. 260—**

BY SENATOR ELLINGTON  
AN ACT

To amend and reenact R.S. 33:130.202(A)(3),(4),(5),(6), and (7), and (G), and 130.210(A)(1) and to repeal R.S. 33:130.202(A)(8), 130.210(A)(3), and 130.211, relative to parish development boards; to provide for revisions to the LaSalle Economic Development District; to provide for changes among the district's commissioners; to establish a quorum, to remove restrictions upon the district's authority; and to provide for related matters.

Reported favorably by the Committee on Local and Municipal Affairs. On motion of Senator Dupre, the bill was read by title, ordered engrossed, and passed to a third reading.

**SENATE BILL NO. 270—**

BY SENATOR FIELDS  
AN ACT

To amend and reenact R.S. 23:1127(C)(3), relative to workers' compensation; to provide with respect to medical examinations; to provide for release of medical information to an employee; and to provide for related matters.

Reported with amendments by the Committee on Labor and Industrial Relations.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Labor and Industrial Relations to Original Senate Bill No. 270 by Senator Fields

AMENDMENT NO. 1

On page 2, line 12, after "provider" insert "requesting a report or".

AMENDMENT NO. 2

On page 2, line 12, after "regarding the" delete "employee" and insert "employee's ability to engage in employment or any medical restrictions related to employment"

AMENDMENT NO. 3

On page 2, line 15, after "representative." insert "Such communications shall not include any work product of the attorney for the employee, employer or its insurer."

On motion of Senator C. Jones, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

**SENATE BILL NO. 346—**

BY SENATORS DARDENNE AND SCHEDLER  
AN ACT

To amend and reenact R.S. 15:603(8), (9), (10), and (11), and 609(A), (B), and (C) and the Code of Criminal Procedure Art. 572 and to enact R.S. 15:603(12) and (13) and 609(F), (G), (H), and (I) relative to DNA detection of sexual and violent offenders; to provide relative to the collection of DNA samples from certain offenders; to provide for definitions; to add certain offenses to crimes requiring the collection of such samples; to provide relative to juvenile offenders; to require DNA samples collection of such offenders under certain conditions; to require DNA sample collection after interstate transfer of offenders under certain conditions; to prohibit the invalidation of a database match under certain circumstances; to provide relative

to the limitation of the prosecution of noncapital offenses; to provide for exceptions to such limitations; to require retroactivity of such exceptions; to authorize the use of force under certain circumstances; and to provide for related matters.

Reported with amendments by the Committee on Finance.

## SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Engrossed Senate Bill No. 346 by Senator Dardenne

### AMENDMENT NO. 1

On page 2, delete line 9 and insert the following:

\*\* \* \*

(8) **"Felony" means any crime for which an offender may be**

### AMENDMENT NO. 2

On page 2, delete line 11 and insert the following:

**"(9) "Felony-grade delinquent act" means an offense that if**

### AMENDMENT NO. 3

On page 7, line 16, change "act" to "Act"

On motion of Senator Dardenne, the committee amendment was adopted. The amended bill was read by title and ordered reengrossed and passed to a third reading.

### SENATE BILL NO. 463—

BY SENATOR MCPHERSON

#### AN ACT

To authorize and provide for the transfer of certain state property, together with all buildings and improvements thereon, located in Rapides Parish, to the Department of Culture, Recreation and Tourism; to require completion of certain conditions prior to transfer; and to provide for related matters.

Reported with amendments by the Committee on Natural Resources.

## SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Natural Resources to Original Senate Bill No. 463 by Senator McPherson

### AMENDMENT NO. 1

On page 7, line 3, after "Section 2." delete the remainder of the line and insert in lieu thereof the following: "No transfer of the Meadows Tract (Tract1) or the Fort Randolph Tract (Tract 3) authorized in Section 1 of this"

### AMENDMENT NO. 2

On page 7, line 4, after "shall" insert "occur"

### AMENDMENT NO. 3

On page 7, line 4, delete "Commission" insert "District"

### AMENDMENT NO. 4

On page 7, line 11, delete "Commission" insert "District"

### AMENDMENT NO. 5

On page 7, line 14, insert "Section 3. No transfer of the Fort Buhlow Tract (Tract 2) authorized in Section 1 of this Act shall occur until thirty days after The Red River Waterway District gives written notification to the Department of Health and Hospitals and to the Department of Culture, Recreation and Tourism that Phases III and IV of the Fort Randolph/Fort Buhlow Site-Development Plan are substantially completed. Phases III and IV of the Fort Randolph/Fort

Buhlow Site-Development Plan shall be as established in the cooperative endeavor agreement between the Red River Waterway District, Department of Health and Hospitals and the Department of Culture, Recreation and Tourism, for the construction of the Fort Randolph and Fort Buhlow State Historic Sites."

### AMENDMENT NO. 6

On page 7, line 14, delete "3" change to "4"

On motion of Senator Romero, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

### SENATE BILL NO. 551—

BY SENATOR B. JONES

#### AN ACT

To amend and reenact R.S. 36:459(A), R.S. 47:301(2), (3)(b), introductory paragraph of (4), (4)(a), (b), (c), (h), (j), and (l), (10)(b) and (c), (14)(g)(i), (15), and (19), R.S. 47:305(A), (D)(1), (2), (3), and (4), (E), (F), and (G), 305.1(A) and (B), 305.3, 305.6, 305.7, 305.8, 305.13, 305.14(A), and 305.19, to enact R.S. 47:301(25), (26), and (27), and Chapter 2D of Subtitle II of Title 47 of the Louisiana Revised Statutes to be comprised of R.S. 47:337.1 through 337.87, and R.S. 36:459(H), and to repeal R.S. 33:2713.1, 2716, 2716.1, 2716.2, 2717, 2718, 2718.1, 2718.2, 2718.3, 2718.4, 2718.5, 2719, 2720, 2720.1, 2737(G), 2741.1, 2747, 2842, 2844, 2844.1, 2844.2, 2845, 2845.1, 2846, and 2847, and R.S. 47:1515, relative to the sales and use tax of political subdivisions; to enact a uniform local sales tax code; to provide for the levy, collection, enforcement, and administration of local sales and use taxes; to provide for certain civil and criminal penalties; to provide for construction and interpretation of the code; to prohibit the state from assuming collection of local sales and use taxes; and to provide for related matters.

Reported with amendments by the Committee on Revenue and Fiscal Affairs.

## SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Revenue and Fiscal Affairs to Original Senate Bill No. 551 by Senator B. Jones

### AMENDMENT NO. 1

On the top of the page, change "SENATOR" to "SENATORS" and after "B. JONES" insert "AND HOYT AND REPRESENTATIVE LANDRIEU"

### AMENDMENT NO. 2

On page 1, line 3, after "and (l)," delete the remainder of the line and delete line 4, and insert:

"(8)(b), (10)(a)(i), (ii), and (vi), (b), (c), and (l), (14)(g)(i) and (i)(i), (15), (16)(d)(i) and (i), (h)(i), (ii), (iii), and (iv), and (i),(18)(a)(i), and (19), 302(D), 305(A), (B), (C), the introductory paragraph of (D)(1), (D)(1)(j), (k), (l), (m), (n), (o), (p), (q), (r), (s), and (u), (2), (3), and (4), (E),"

### AMENDMENT NO. 3

On page 1, line 5, change "(F), and (G)" to "(F), (G), and (H)"

### AMENDMENT NO. 4

On page 1, line 6, change "305.14(A), and 305.19," to the following:

"305.14(A)(1), 305.19, 305.26, 305.31(B), 305.36(A), 305.39, the introductory paragraph of 305.40(A), 305.42, and 305.48,"

### AMENDMENT NO. 5

On page 1, line 9, change "2716" to "2716(A)"



AMENDMENT NO. 6

On page 1, line 11, after "2741.1," delete "2747, 2842,"

AMENDMENT NO. 7

On page 2, line 6, after "and (l)," delete the remainder of the line and delete line 7, and insert:

"(8)(b), (10)(a)(i), (ii), and (vi), (b), (c), and (l), (14)(g)(i) and (i)(i), (15), (16)(d)(i) and (i), (h)(i), (ii), (iii), and (iv), and (i), (18)(a)(i), and (19), 302(D), 305(A), (B), (C), the introductory paragraph of (D)(1), (D)(1)(j), (k), (l), (m), (n), (o), (p), (q), (r), (s), and (u), (2), (3), and (4), (E), (F), (G), and (H), 305.1(A) and (B), 305.3,"

AMENDMENT NO. 8

On page 2, line 8, after "305.13," delete "305.14(A), and 305.19" and insert:

"305.14(A)(1), 305.19, 305.26, 305.31(B), 305.36(A), 305.39, the introductory paragraph of 305.40(A), 305.42, and 305.48"

AMENDMENT NO. 9

On page 2, line 11, after "337.87" change "is" to "are"

AMENDMENT NO. 10

On page 2, line 20, after "state," change "and" to "or"

AMENDMENT NO. 11

On page 3, line 17, after "state," delete "or"

AMENDMENT NO. 12

On page 3, at the beginning of line 18, insert "or"

AMENDMENT NO. 13

On page 5, delete line 7, and insert:

"(8) \* \* \*

(b) Solely for purposes of the payment of state sales or use tax on the lease or rental or the purchase of tangible personal property or services, "person" shall not include a regionally accredited independent institution of higher education which is a member of the Louisiana Association of Independent Colleges and Universities, if such lease or rental or purchase is directly related to the educational mission of such institution. However, the term "person" shall include such institution for purposes of the payment of tax on sales by such institution if the sales are not otherwise exempt.

\* \* \*

(10)(a)(i) Solely for the purposes of the imposition of the state sales and use tax, "retail sale" or "sale at retail" means a sale to a consumer or to any other person for any purpose other than for resale as tangible personal property, or for the lease of automobiles in an arm's length transaction, and shall mean and include all such transactions as the secretary, upon investigation, finds to be in lieu of sales; provided that sales for resale or for lease of automobiles in an arm's length transaction must be made in strict compliance with the rules and regulations. Any dealer making a sale for resale or for the lease of automobiles, which is not in strict compliance with the rules and regulations, shall himself be liable for and pay the tax.

(ii) Solely for purposes of the imposition of the sales and use tax levied by a political subdivision or school board, "retail sale" or "sale at retail" shall mean a sale to a consumer or to any other person for any purpose other than for resale in the form of tangible personal property, and shall mean and include all such transactions as the collector, upon investigation, finds to be in lieu of sales; provided that sales for resale be made in strict compliance with the rules and regulations. Any dealer making a sale for resale, which is not in strict compliance with the rules and regulations shall himself be liable for and pay the tax.

\* \* \*

(vi) Solely for purposes of the payment of state sales and use tax, until January 1, 2007, the term "sale at retail" shall not include

purchases made in connection with the filming or production of a motion picture by a motion picture production company which has been relieved from the payment of state sales and use tax under the provisions of Chapter 12 of Title 47, also known as the "Louisiana Motion Picture Incentive Act". This exclusion shall be retroactively revoked if it is determined that a motion picture production company that has been relieved from payment of state sales and use tax under Chapter 12 failed to meet the conditions of such relief."

AMENDMENT NO. 14

On page 5, line 8, after "(i)" change "For" to "Solely for"

AMENDMENT NO. 15

On page 5, line 15, after "(ii)" change "For" to "Solely for"

AMENDMENT NO. 16

On page 5, line 21, after "(bb)" change "Natural" to "Solely for purposes of the sales and use tax levied by the state, natural"

AMENDMENT NO. 17

On page 5, line 25, after "(aa)" change "The" to "Solely for purposes of the sales and use tax levied by the state, the"

AMENDMENT NO. 18

On page 6, between lines 4 and 5, insert:

"(l) Solely for purposes of the state sales and use tax, the term "sale at retail" shall not include the sale of a pollution control device or system. Pollution control device or system shall mean any tangible personal property approved by the Department of Revenue and the Department of Environmental Quality and sold or leased and used or intended for the purpose of eliminating, preventing, treating, or reducing the volume or toxicity or potential hazards of industrial pollution of air, water, groundwater, noise, solid waste, or hazardous waste in the state of Louisiana. For the purposes of any sales and use tax levied by a political subdivision, the term "sale at retail" shall include the sale of a pollution control device or system. In order to qualify, the pollution control device or system must demonstrate either: a net decrease in the volume or toxicity or potential hazards of pollution as a result of the installation of the device or system; or that installation is necessary to comply with federal or state environmental laws or regulations.

\* \* \*

AMENDMENT NO. 19

On page 6, line 12, after "(bb)" change "Charges" to "Solely for purposes of the sales and use tax levied by the state, charges"

AMENDMENT NO. 20

On page 6, between lines 23 and 24, insert:

"(i)(i) Solely for purposes of the sales and use tax levied by the state, the furnishing of telecommunication services for compensation. "Telecommunication services" shall not be subject to the sales and use tax of political subdivisions except as provided for in Item (vi) of this Subparagraph (i).

\* \* \*

AMENDMENT NO. 21

On page 7, between lines 1 and 2, insert:

"(16) \* \* \*

(d)(i) Notwithstanding any provision of law to the contrary and solely for purposes of state sales and use tax purposes only, any sale of a prepaid telephone calling card or prepaid authorization number, or both, shall be deemed to be the sale of tangible personal property.

\* \* \*

(h)(i) Solely for purposes of the imposition of the sales and use tax levied by the state or any political subdivision whose boundaries are coterminous with those of the state, for the period beginning July 1, 2002, and ending on June 30, 2003, the term "tangible personal

property" shall not include one-quarter of the cost price of custom computer software.

(ii) **Solely** for purposes of the imposition of the sales and use tax levied by the state or any political subdivision whose boundaries are coterminous with those of the state, for the period beginning July 1, 2003, and ending on June 30, 2004, the term "tangible personal property" shall not include one-half of the cost price of custom computer software.

(iii) **Solely** for purposes of the imposition of the sales and use tax levied by the state or any political subdivision whose boundaries are coterminous with those of the state, for the period beginning July 1, 2004, and ending on June 30, 2005, the term "tangible personal property" shall not include three-quarters of the cost price of custom computer software.

(iv) **Solely** for purposes of the imposition of the sales and use tax levied by the state or any political subdivision whose boundaries are coterminous with those of the state, for all taxable periods beginning on or after July 1, 2005, the term "tangible personal property" shall not include custom computer software.

(i) **Solely** for purposes of the imposition of the state sales and use tax, the term "tangible personal property" shall not include digital television conversion equipment and digital radio conversion equipment as defined in this Section.

\* \* \*

(18)(a)(i) **Solely** for purposes of the imposition of the state sales and use tax, "use" means and includes the exercise of any right or power over tangible personal property incident to the ownership thereof, except that it shall not include the sale at retail of that property in the regular course of business or the donation to a school in the state which meets the definition provided in R.S. 17:236 or to a public or recognized independent institution of higher education in the state of property previously purchased for resale in the regular course of a business. The term "use" shall not include the purchase, the importation, the consumption, the distribution, or the storage of automobiles to be leased in an arm's length transaction, nor shall the term "use" include the donation of food items to a food bank as defined in R.S. 9:2799(B).

\* \* \*

### AMENDMENT NO. 22

On page 7, delete lines 17 through 23, and insert:

"(25) "Taxing authority" shall mean and include both the state and a statewide political subdivision and any political subdivision of the state authorized under the Constitution or laws of the state of Louisiana to levy and collect a sales and use tax, unless the context indicates otherwise. For purposes of the Uniform Local Sales Tax Code provided for in Chapter 2D of this Title, "taxing authority" shall mean any political subdivision of the state authorized under the Constitution or laws of the state of Louisiana to levy and collect a sales and use tax, except a statewide political subdivision."

### AMENDMENT NO. 23

On page 8, between lines 5 and 6, insert:

\* \* \*

### §302. Imposition of tax

\* \* \*

D. Notwithstanding any other provision of law to the contrary, no state sales or use tax ~~nor any such tax levied by a political subdivision of any taxing authority~~ shall be levied on any advertising service rendered by an advertising business, including but not limited to advertising agencies, design firms, and print and broadcast media, or any member, agent, or employee thereof, to any client whether or not such service also involves a transfer to the client of tangible personal property. However, a transfer of mass-produced advertising items by an advertising business which manufactures the items itself to a client for the client's use, which transfer involves the furnishing of minimal services other than manufacturing services by the advertising business shall be a taxable sale or use of tangible

personal property; provided that in no event shall tax be levied on charges for creative services which are separately invoiced.

\* \* \*

### AMENDMENT NO. 24

On page 8, line 16, after "exempted from the" insert "**sales and use**"

### AMENDMENT NO. 25

On page 8, line 17, at the beginning of the line, change "**taxing authorities**" to "**the state only**"

### AMENDMENT NO. 26

On page 8, line 20, after "not exempted from the" insert "**sales and use**" and at the end of the line change "**taxing**" to "**the state**" and on line 21 delete "**authorities**"

### AMENDMENT NO. 27

On page 10, delete line 4, and insert:

"(5) ~~The~~ **Solely for purposes of the sales and use** tax imposed by this Chapter **levied by the state, such tax** shall not"

### AMENDMENT NO. 28

On page 10, delete line 16, and insert:

"(6) ~~The~~ **Solely for purposes of the sales and use** tax imposed by this Chapter **levied by the state, such tax** shall not"

### AMENDMENT NO. 29

On page 11, delete line 1, and insert:

"B. **For purposes of the sales and use tax of all taxing authorities**, the "use tax," as defined herein, shall not apply to livestock and livestock products, to poultry and poultry products, to farm, range and agricultural products when produced by the farmer and used by him and members of his family.

C.(2) **For purposes of the sales and use tax of all taxing authorities**, where a part of the cost price of a motor vehicle is represented by a motor vehicle returned to the dealer's inventory, the use tax is payable on the total cost price less the wholesale value of the article returned."

### AMENDMENT NO. 30

On page 11, between lines 7 and 8, insert:

"(j) **Solely for purposes of the state sales and use tax**, drugs prescribed by a physician or dentists.

(k) **Solely for purposes of the state sales and use tax**, orthotic and prosthetic devices and wheelchairs and wheelchair lifts prescribed by physicians or licensed chiropractors for personal consumption or use.

(l) **Solely for purposes of the state sales and use tax**, the sale or purchase of any ostomy, ileostomy or colostomy device or any other appliance including catheters or any related item which is required as the result of any surgical procedure by which an artificial opening is created in the human body for the elimination of natural waste.

(m) **Solely for purposes of the state sales and use tax**, patient aids prescribed by a physician or a licensed chiropractor for home use.

(n) **Solely for purposes of the state sales and use tax**, food sold for preparation and consumption in the home including by way of extension and not of limitation bakery products.

(o) **Solely for purposes of the state sales and use tax**, dairy products.

(p) **Solely for purposes of the state sales and use tax**, soft drinks.

(q) **Solely for purposes of the state sales and use tax**, fresh fruits and vegetables.

(r) Solely for purposes of the state sales and use tax, package foods requiring further preparation by the purchaser.

(s) Solely for purposes of the state sales and use tax, any and all medical devices used exclusively by the patient in the medical treatment of various diseases or administered exclusively to the patient by a physician, nurse, or other health care professional or health care facility in the medical treatment of various diseases under the supervision of and prescribed by a licensed physician.

(u) Solely for purposes of the state sales and use tax, adaptive driving equipment and motor vehicle modifications prescribed for personal use by a physician, a licensed chiropractor, or a driver rehabilitation specialist licensed by the state."

#### AMENDMENT NO. 31

On page 12, line 6, change "R.S. 33:2716.1" to "R.S. 47:337.8"

#### AMENDMENT NO. 32

On page 12, at the end of line 7, delete "school"

#### AMENDMENT NO. 33

On page 12, line 8, delete "board, municipality or other local"

#### AMENDMENT NO. 34

On page 12, line 15, delete "D."

#### AMENDMENT NO. 35

On page 12, line 26, after "of this Chapter" insert "the"

#### AMENDMENT NO. 36

On page 13, line 7, delete "this" and on line 8, change "state" to "the taxing jurisdiction"

#### AMENDMENT NO. 37

On page 13, between lines 21 and 22, insert:

"H. "Demonstrators" as used in Subsection D of this Section for purposes of the sales and use tax levied by all taxing authorities shall mean new and used trucks and automobiles for which dealer inventory plates may be obtained pursuant to R.S. 47:473, and new aircraft titled in the dealer's name for use as demonstrators which are kept primarily on the dealer's premises during normal business hours and which are available for demonstration purposes; provided, however, that the occasional use of such demonstrator by authorized personnel of the dealer shall not disqualify such demonstrator from the exemption herein designated."

#### AMENDMENT NO. 38

On page 14, line 22, change "collector" to "secretary"

#### AMENDMENT NO. 39

On page 17, between lines 2 and 3, insert:

\* \* \*

§305.26. Exclusions and exemptions; new vehicles furnished by dealers for driver education purposes

Solely for purposes of the sales and use tax levied by the state, such tax shall not be due on vehicles furnished by a dealer in new vehicles when withdrawn from inventory and furnished to a secondary school, college or public school board on a free loan basis for exclusive use in a driver education program accredited by the Louisiana Department of Education.

\* \* \*

§305.31. Exclusions and exemptions; equipment facilitating energy conservation, conversion to alternate fuels

\* \* \*

B. Solely for purposes of the sales and use taxes levied under the provisions of this Chapter and Chapter 2-A by the state, such taxes shall not apply to the sale at retail, the use, the consumption, the distribution, the storage for use or consumption in this state, and the lease or the rental of any energy conservation property if such

energy conservation property is used or consumed in this state by an existing manufacturing establishment or public utility.

\* \* \*

§305.36. Exclusions and exemptions; motor vehicles

A. Solely for purposes of the sales and use tax levied by the state, The such tax imposed by R.S. 47:302(A), R.S. 47:321(A), and R.S. 47:331(A) shall not apply to the sale at retail, the purchase, lease, or the importation of motor vehicles, trailers, or semitrailers as defined by R.S. 47:451 that will be stored, used, or consumed in this state exclusively for lease or rental, provided that the gross proceeds derived from the lease or rental of the property not previously taxed shall be at reasonable market rates. If the secretary of the Department of Revenue finds that any person who has purchased, used, or imported motor vehicles, trailers, or semitrailers tax free under this Subsection has subsequently leased or rented motor vehicles, trailers, or semitrailers in transactions not at arms length at below market rates, the secretary shall presume that the person was not entitled to claim the exemption provided herein, and the burden shall be on that person to prove otherwise.

\* \* \*

§305.39. Exclusions and exemptions; butane, propane, or other liquefied petroleum gases purchased for private residential consumption

Solely for purposes of the sales and use taxes levied by the state, The such taxes imposed by R.S. 47:302(A), R.S. 47:321(A), and R.S. 47:331(A) shall not apply to direct consumer purchases of butane, propane, or other liquefied petroleum gases for the private residential purposes of cooking and heating.

§305.40. Exclusions and exemptions; purchases of Mardi Gras specialty items

A. Solely for purposes of the sales and use taxes levied by the state, The such sales and use taxes imposed by R.S. 47:302, R.S. 47:321, and R.S. 47:331 shall not apply to the purchases of specialty items for use in connection with Mardi Gras activities by the following organizations:

\* \* \*

§305.42. Exclusions and exemptions; tickets to ballet performances of nonprofit ballet organizations

Solely for purposes of the sales and use taxes levied by the state, The such sales and use tax imposed by R.S. 47:302(A) and R.S. 47:321(A) shall not apply to the sale of admission tickets by any domestic nonprofit organization engaged in the preparation and presentation of any dance, drama, or any of the performing arts.

\* \* \*

§305.48. Exemption; automobiles owned by military personnel

Solely for purposes of the sales and use taxes levied by the state, motor vehicles subject to the vehicle registration tax previously purchased in another state by active duty military personnel stationed in Louisiana, shall, at the time of transfer of registration, be exempt from the such use tax imposed by this Chapter if a sales tax was imposed and collected upon the purchase of the motor vehicle by the state in which the vehicle was purchased and the purchaser was a resident or stationed in the state where the taxes were paid. The motor vehicle shall continue to be exempt from the such use tax as long as the registered owner remains on active duty in any branch of the armed forces of the United States and is stationed in Louisiana."

#### AMENDMENT NO. 40

On page 18, line 5, change "taxing authority" to "political subdivision"

#### AMENDMENT NO. 41

On page 18, line 17, after "(f)" change "Particular" to "Optional"

#### AMENDMENT NO. 42

On page 18, line 18, after "law," change "but not allowed" to "adapted"

#### AMENDMENT NO. 43

On page 19, delete lines 1 through 6, and insert:

"C. Notwithstanding any other law to the contrary, in order to insure taxpayers of uniformity of tax collection, the regulations applicable to the sales and use tax of the tax authorities provided for in this Chapter shall be the following:

(1) For purposes of this Section, the following terms shall have the following definitions:

(a) "Board" means the board of directors of the Louisiana Association of Tax Administrators.

(b) "Common sales tax law" means a provision of law relative to the sales and use tax law of the state that is applicable to both the state and to local taxing authorities as expressly adopted in this Chapter.

(c) "Regulation" means a rule or regulation as those terms are defined in the Administrative Procedure Act.

(d) "Regulatory action" means the adoption, amendment, or repeal of a regulation.

(2) Until January 1, 2004, any collector may file a written request with the secretary for amendment in the manner provided for in Paragraph (4) of this Subsection of any regulation of the Department of Revenue in effect on July 1, 2003 concerning a common sales tax law. If no request for an amendment of a particular regulation has been received by the secretary by January 1, 2004, then that regulation shall be applicable to all local tax authorities. If the regulation is amended, then that regulation as amended shall be applicable to both the state and to local taxing authorities notwithstanding any prior construction of such law.

(3) If no regulation concerning a common sales tax law has been adopted by the secretary, any collector may file a written request with the secretary for the adoption of such regulation in the manner provided for in Paragraph (4) of this Subsection.

(4)(a) No regulatory action of the Department of Revenue concerning a common sales tax law shall be applicable to local tax authorities unless such regulatory action is proposed and adopted in accordance with the provisions of this Paragraph. The procedure provided for in this Paragraph shall be specifically applicable to the following regulatory actions:

(i) Regulations in effect on July 1, 2003 for which a written request for an amendment has been received as provided for in Paragraph (2) of this Subsection.

(ii) Written requests by a collector for the adoption of a regulation as provided for in Paragraph (3) of this Subsection.

(iii) Adoption, amendment, or repeal of regulations proposed after July 1, 2003 by the secretary.

(b)(i) Any regulatory action concerning the regulations provided for in this Section shall be the same as is provided for in the Administrative Procedure Act, except as follows:

(aa)(I) Before the secretary gives any notice of an intended regulatory action or submits a proposal to public review as required by R.S. 49:953(A) or (B), the secretary shall make a written request to the board for their input.

(II) The secretary shall also make the same request of the board when a request has been received for an amendment of a regulation as provided for in Paragraph (2) of this Subsection or for the adoption of a regulation as provided for in Paragraph (3) of this Subsection.

(bb)(I) Upon receipt of the secretary's request, the board may make a written request that the secretary convene a meeting at which she will receive the board's input and, if the board has requested such a meeting, it may appoint two representatives to attend the meeting. The meeting shall be held within fifteen days of such request, unless another time is agreed to by the board, at a time and location chosen by the secretary.

(II) In the same manner, the secretary shall provide for the receipt of input from a representative of any collector who has made a written request for the amendment of a regulation as provided for in Paragraph (2) of this Subsection or for the adoption of a regulation as provided for in Paragraph (3) of this Subsection. In that case, if the collector also requests a meeting, the secretary shall convene such a meeting to receive such input from the collector within fifteen days of the request, unless another time is agreed to by the collector, at a time and place of the secretary's choosing; provided that, if more than

two collectors have made a request for such a meeting, they shall select not more than two representatives to participate in such meeting on their behalf.

(ii) Only after the procedure provided for in this Subparagraph has been followed may the secretary proceed to adopt, amend, or repeal the regulation in accordance with the Administrative Procedure Act. Oversight of such regulatory action shall be with the Senate Committee on Revenue and Fiscal Affairs and the House Committee on Ways and Means.

(iii) The regulatory action shall be effective for local taxing authorities in the same manner and at the same time it becomes effective for the state.

(5) Prior to the beginning of the 2004 Regular Session of the Legislature, the board shall make a written proposal to the governor, the President of the Senate and the Speaker of the House of Representatives for legislation which will provide a procedure for the adoption of uniform regulations for provisions of law relative to sales and use tax law or its administration that is applicable only to local taxing authorities."

#### AMENDMENT NO. 44

On page 20, line 8, after "(6)" change "Particular" to "Optional"

#### AMENDMENT NO. 45

On page 20, line 9, after "law," change "but not allowed" to "adopted"

#### AMENDMENT NO. 46

On page 20, delete lines 15 through 17

#### AMENDMENT NO. 47

On page 20, delete lines 18 through 21, and insert: "(8) Penalty, interest, or attorney fees due on the sales and use tax. The amount of such penalty, interest, and attorney fees, shall be limited as provided by law, including relevant jurisprudence, until such statute or jurisprudence is changed."

#### AMENDMENT NO. 48

On page 21, line 8, after "the code" insert "into such ordinances"

#### AMENDMENT NO. 49

On page 29, delete lines 7 through 10, and insert: "No exemption or exclusion from sales and use tax enacted or granted after the effective date of this Chapter shall be applicable to any sales and use tax levied by any political subdivision unless such exemption or exclusion is enacted as an amendment to this Chapter."

#### AMENDMENT NO. 50

On page 30, delete lines 23 through 26.

#### AMENDMENT NO. 51

On page 30, line 27, change "(6)" to "(4)"

#### AMENDMENT NO. 52

On page 31, line 1, change "(7)" to "(5)"

#### AMENDMENT NO. 53

On page 31, line 2, change "(8)" to "(6)"

#### AMENDMENT NO. 54

On page 31, line 3, change "(9)" to "(7)"

#### AMENDMENT NO. 55

On page 31, line 4, change "(10)" to "(8)"

#### AMENDMENT NO. 56

On page 31, line 5, change "(11)" to "(9)"

#### AMENDMENT NO. 57

On page 31, line 7, change "(12)" to "(10)"

AMENDMENT NO. 58

On page 31, line 8, change "(13)" to "(11)"

AMENDMENT NO. 59

On page 31, line 10, change "(14)" to "(12)"

AMENDMENT NO. 60

On page 31, line 11, change "(15)" to "(13)"

AMENDMENT NO. 61

On page 31, line 13, change "(16)" to "(14)"

AMENDMENT NO. 62

On page 31, line 14, change "(17)" to "(15)"

AMENDMENT NO. 63

On page 31, line 16, change "(18)" to "(16)"

AMENDMENT NO. 64

On page 31, line 17, change "(19)" to "(17)"

AMENDMENT NO. 65

On page 31, line 20, change "(20)" to "(18)"

AMENDMENT NO. 66

On page 31, line 24, change "(21)" to "(19)"

AMENDMENT NO. 67

On page 31, line 27, change "(22)" to "(20)"

AMENDMENT NO. 68

On page 32, line 3, change "(23)" to "(21)"

AMENDMENT NO. 69

On page 32, line 10, change "(24)" to "(22)"

AMENDMENT NO. 70

On page 32, line 19, change "(25)" to "(23)"

AMENDMENT NO. 71

On page 32, line 20, change "(26)" to "(24)"

AMENDMENT NO. 72

On page 32, line 21, change "(27)" to "(25)"

AMENDMENT NO. 73

On page 32, line 22, change "(28)" to "(26)"

AMENDMENT NO. 74

On page 34, delete lines 21 through 25

AMENDMENT NO. 75

On page 34, line 26, after "Optional" insert "exclusions and"

AMENDMENT NO. 76

On page 35, line 13, after "Paragraph" change "(2)" to "(1) of"

AMENDMENT NO. 77

On page 35, line 26, after "Paragraph" change "(2)" to "(1)"

AMENDMENT NO. 78

On page 38, delete line 23, and insert: "political subdivisions, all of which are not listed in Chapter 2 of this Title except for Paragraphs (13) and (14), and"

AMENDMENT NO. 79

On page 39, between lines 26 and 27, insert:

"(13) R.S. 47:315.3, "key words": tax refund for tax paid by or under the provisions of Medicare.

(14) R.S. 47:315.4, "key words": tax credit for the amount of ad valorem taxes paid on property upon which the taxpayer is entitled to a homestead exemption."

AMENDMENT NO. 80

On page 49, line 18, after "found in" change "R.S. 33:2716" to "R.S. 33:2716(B)"

AMENDMENT NO. 81

On page 51, line 5, change "Purchaser" to "purchaser"

AMENDMENT NO. 82

On page 51, line 7, after "to the collector" delete the remainder of the line and delete line 8, and insert: "on the first day of the month after such sale was made or rendered, to be transmitted on or before the twentieth day of such month."

AMENDMENT NO. 83

On page 61, line 23, change "2002" to "2003"

AMENDMENT NO. 84

On page 63, line 4, change "compose" to "design"

AMENDMENT NO. 85

On page 67, line 10, after "(iii)" change "Particular" to "Optional"

AMENDMENT NO. 86

On page 67, line 11, after "law," change "but not allowed" to "adopted"

AMENDMENT NO. 87

On page 67, line 18, after "Section" insert "29"

AMENDMENT NO. 88

On page 67, delete lines 21 through 24, and insert: "(vi) Penalty, interest, or attorney fees due on the sales and use tax. The amount of such penalty, interest, and attorney fees, shall be limited as provided by law, including relevant jurisprudence, until such statute or jurisprudence is changed."

AMENDMENT NO. 89

On page 68, line 12, after "in this" delete "Paragraph." and insert: "Section. Each collector shall follow the data validation procedures established by the advisory committee."

AMENDMENT NO. 90

On page 68, line 18, change "Item (c)(i)" to "Subparagraph (C)(1)(a)"

AMENDMENT NO. 91

On page 68, at the end of line 19, insert: "Each collector shall follow the data validation procedures established by the advisory committee."

AMENDMENT NO. 92

On page 70, at the end of line 23, insert: "Each collector shall follow the data validation procedures established by the advisory committee."

AMENDMENT NO. 93

On page 70, line 25, after "page" insert "as provided for in this Section"

AMENDMENT NO. 94

On page 74, line 1, change "\$3249" to "R.S. 47:337.75"

AMENDMENT NO. 95

On page 74, line 19, change "this state" to "the taxing jurisdiction"

AMENDMENT NO. 96

On page 78, line 21, delete "(a)"

# Page 14 SENATE

April 23, 2003

## 11th DAY'S PROCEEDINGS

### AMENDMENT NO. 97

On page 96, line 24, after "court" delete the comma ",,"

### AMENDMENT NO. 98

On page 100, line 1, after "assistants" delete the comma ",,"

### AMENDMENT NO. 99

On page 118, at the end of line 23, insert "obligations"

### AMENDMENT NO. 100

On page 127, line 18, after "R.S. 33:2713.1," change "2716," to "2716(A),"

### AMENDMENT NO. 101

On page 127, at the end of line 19, delete "2747," and at the beginning of line 20, delete "2842,"

### AMENDMENT NO. 102

On page 127, line 27, after "shall be" delete the remainder of the line, and on page 128, delete lines 1 through 3, and insert: "limited as provided by law, including relevant jurisprudence, until such statute or jurisprudence is changed."

On motion of Senator Barham, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

### **SENATE BILL NO. 597—**

BY SENATOR MCPHERSON

#### AN ACT

To authorize and provide for the state, through the division of administration, to transfer a certain tract of land situated in Rapides Parish to the England Economic and Industrial Development District; to provide for preparation of documents; to provide certain terms and conditions; to provide for effective date; and to provide for related matters.

Reported favorably by the Committee on Natural Resources. On motion of Senator Romero, the bill was read by title, ordered engrossed, and passed to a third reading.

### **SENATE BILL NO. 826—**

BY SENATOR C. JONES

#### AN ACT

To enact Subpart D-1 of Part I of Chapter 14 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:4770.1 through 4770.16, relative to the removal of dilapidated structures and noxious matters within the city of Monroe, to provide definitions, to provide for notification; to provide for the reporting of such structures; to provide for the liability of city council members and others; and to provide for related matters.

Reported with amendments by the Committee on Local and Municipal Affairs.

#### SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Local and Municipal Affairs to Original Senate Bill No. 826 by Senator C. Jones

### AMENDMENT NO. 1

On page 10, line 25, change "or" to "of"

On motion of Senator Dupre, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

### **SENATE BILL NO. 833—**

BY SENATOR HOLDEN (BY REQUEST)

#### AN ACT

To enact R.S. 17:421.9, relative to school psychologists; to provide a salary supplement for certain public school psychologists that have acquired certification by the National School Psychology Certification Board; to provide conditions and guidelines for receiving the supplement; to provide for payment; to provide for limitations; to provide for implementation only to the extent funds are appropriated; and to provide for related matters.

Reported with amendments by the Committee on Education.

#### SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Education to Original Senate Bill No. 833 by Senator Holden

### AMENDMENT NO. 1

On page 2, line 12, change "counselor" to "psychologist"

### AMENDMENT NO. 2

On page 3, between lines 10 and 11, insert the following:

"F.(1) The supplements provided for in this Section shall be phased-in as follows:

(a) Those who are entitled to a supplement under this Section in the 2003-2004 school year shall receive one thousand dollars.

(b) Those who are entitled to a supplement under this Section in the 2004-2005 school year shall receive two thousand, five hundred dollars.

(c) Those who are entitled to a supplement under this Section in the 2005-2006 school year and thereafter shall receive the supplement otherwise provided for in this Section.

(2) The provisions for phasing-in payments pursuant to Paragraph (1) of this Subsection shall not extend the period of eligibility to receive payments."

### AMENDMENT NO. 3

On page 3, line 11, change "F." to "(3)"

On motion of Senator Theunissen, the committee amendment was adopted. The amended bill was read by title, ordered engrossed and recommitted to the Committee on Finance.

### **SENATE BILL NO. 835—**

BY SENATOR B. JONES

#### AN ACT

To enact R.S. 47:16.18, relative to the Tax Court; to require the court to establish fees for services rendered by the court and its small claims division; and to provide for related matters.

Reported with amendments by the Committee on Revenue and Fiscal Affairs.

#### SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Revenue and Fiscal Affairs to Original Senate Bill No. 835 by Senator B. Jones

### AMENDMENT NO. 1

On page 1, line 2, change "R.S. 47:16.18" to "R.S. 47:16.17 and 16.19"

### AMENDMENT NO. 2

On page 1, line 6, change "R.S. 47:16.18 is" to "R.S. 47:16.17 and 16.19 are"

### AMENDMENT NO. 3

On page 1, delete lines 7 through 12 and insert the following:

"§16.17. Witness fees and mileage

**R.S. 47:16.17 is all proposed new law.**

Any person summoned or whose deposition is taken shall receive the same fees and mileage as would be allowed in a civil action pending in the district courts and the expense thereof shall be paid by the person summoning such witness or causing the deposition to be taken. Such expenses may be assessed as costs of court by the presiding judge or magistrate.

§16.19. Fees

**R.S. 47:16.19 is all proposed new law.**

The filing fee of the Tax Court shall be three hundred dollars and the filing fee for the small claims division shall be fifty dollars. However, the Tax Court may, by rule, revise such filing fees up to a maximum filing fee of five hundred dollars for the Tax Court and up to a maximum of one hundred dollars for the small claims division. The Tax Court also may, by rule, establish other fees chargeable for services rendered by the court and its small claims division, including fees for service of process."

**AMENDMENT NO. 4**

On page 2, line 1, after "No." delete the remainder of the line 1 and delete lines 2 and 3, and insert the following: "952 of the 2003 Regular Session is enacted into law."

On motion of Senator Barham, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

**SENATE BILL NO. 846—**

BY SENATOR ELLINGTON

**AN ACT**

To enact R.S. 33:2740.55, relative to special taxing districts in the town of Columbia; to provide for the creation of a downtown development district; to provide for an eight member board to govern the district; to provide for the duties of the board; to establish the boundaries and duties of the district; to authorize the district to levy taxes and issue bonds; and to provide for related matters.

Reported with amendments by the Committee on Local and Municipal Affairs.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Local and Municipal Affairs to Original Senate Bill No. 846 by Senator Ellington

**AMENDMENT NO. 1**

On page 4, line 26, between "to" and "homestead" insert "the"

On motion of Senator Dupre, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

**SENATE BILL NO. 847—**

BY SENATOR ELLINGTON

**AN ACT**

To enact R.S. 33:2740.55, relative to special taxing districts in the town of Winnsboro; to provide for the creation of a downtown development district; to provide for an ten member board to govern the district; to provide for the duties of the board; to establish the boundaries and duties of the district; to authorize the district to levy taxes and issue bonds; and to provide for related matters.

Reported with amendments by the Committee on Local and Municipal Affairs.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Local and Municipal Affairs to Original Senate Bill No. 847 by Senator Ellington

**AMENDMENT NO. 1**

On page 1, line 4, change "an" to "a"

**AMENDMENT NO. 2**

On page 4, line 26, after "to" insert "the"

On motion of Senator Dupre, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

**SENATE BILL NO. 952—**

BY SENATOR B. JONES

**AN ACT**

To amend and reenact R.S. 36:458(F), R.S. 47:15(14), 1401, 1481, 1508.1(B), 1561, 1565, 1566(C), 1567, 1580(A)(3), 1621(F), 1621.1(A), 1625, 1626, 1627, 1688, and 1689, the heading of R.S. 47:1621.1, and R.S. 49:967(A) and 992(D)(1); to enact R.S. 36:4(B)(1)(r) and Chapter 3 of Subtitle I of Title 47 of the Louisiana Revised Statutes of 1950, comprised of R.S. 47:16 through 16.55, and R.S. 49:992(D)(9); and to repeal R.S. 47:1407(1) and (4) and Part II of Chapter 17 of Subtitle II of Title 47 of the Louisiana Revised Statutes of 1950, comprised of R.S. 47:1431 through 1438, relative to administrative proceedings concerning taxes, fees, and claims against the state; to create and provide for the Tax Court as an administrative agency in the office of the governor and the judges of Tax Court; to provide for a small claims division of the Tax Court and the magistrate thereof; to revise provisions concerning the Board of Tax Appeals; to provide for judicial review of Tax Court decisions; and to provide for related matters.

Reported with amendments by the Committee on Revenue and Fiscal Affairs.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Revenue and Fiscal Affairs to Original Senate Bill No. 952 by Senator B. Jones

**AMENDMENT NO. 1**

On page 1, line 2, between "reenact" and "R.S." insert "R.S. 26:354(I),"

**AMENDMENT NO. 2**

On page 1, line 2, between "1401," and "1481" insert "1407(1) and (4), 1431, 1432, 1437,"

**AMENDMENT NO. 3**

On page 1, line 7, delete "; and to", delete lines 8 and 9, and on line 10 delete "R.S. 47:1431 through 1438"

**AMENDMENT NO. 4**

On page 2, line 1, change "decisions" to "judgments"

**AMENDMENT NO. 5**

On page 2, line 3, between "1401," and "1481" insert "1407(1) and (4), 1431, 1432, 1437,"

**AMENDMENT NO. 6**

On page 2, line 26, between ""47:1414" and "and" insert ", 1431,"

**AMENDMENT NO. 7**

On page 6, line 12, change "votes" to "vote"

**AMENDMENT NO. 8**

On page 7, line 2, between "nominee" and "as" insert "and appointed and confirmed"

# Page 16 SENATE

April 23, 2003

## 11th DAY'S PROCEEDINGS

### AMENDMENT NO. 9

On page 8, line 3, between "age" and "as" delete the comma ","

### AMENDMENT NO. 10

On page 8, lines 16 and 17, delete "within the State Capitol Complex as designated in R.S. 49:135"

### AMENDMENT NO. 11

On page 9, line 27, change "ex-officio" to "ex officio"

### AMENDMENT NO. 12

On page 13, line 7, change "1504" to "5104"

### AMENDMENT NO. 13

On page 13, line 9, delete "at a location other than a" and insert a colon ":" and between lines 9 and 10, insert the following:

"(1) At a location other than a"

### AMENDMENT NO. 14

On page 13, between lines 18 and 19, insert the following:

"(2) With the consent of the parties, by telephone, video conference, or similar communication equipment, and administer oaths in such proceedings."

### AMENDMENT NO. 15

On page 14, line 1, change "an" to "a"

### AMENDMENT NO. 16

On page 14, between lines 8 and 9, insert the following:

"E.(1) Any paper in an action pursuant to this Chapter may be filed with the Tax Court or small claims division by facsimile transmission. Filing shall be deemed complete at the time that the facsimile transmission is received and a receipt of transmission has been transmitted to the sender by the clerk. The facsimile when filed has the same force and effect as the original.

(2) Within five days, exclusive of legal holidays, after the clerk has received the transmission, the party filing the document shall forward the following to the clerk:

(a) The original signed document.

(b) The applicable filing fee, if any.

(3) If the party fails to comply with the requirements of Paragraph (2), the facsimile filing shall have no force or effect. The Tax Court may provide, by rule, for other matters related to filings by facsimile transmission."

### AMENDMENT NO. 17

On page 17, line 21, change "\$16,14." to "\$16.16."

### AMENDMENT NO. 18

On page 18, at the end of line 13, add the following: "A judge pro tem shall possess the qualifications required of a judge of the Tax Court."

### AMENDMENT NO. 19

On page 18, at the end of line 16, add the following: "A magistrate pro tem shall possess the qualifications required of the magistrate of the small claims division."

### AMENDMENT NO. 20

On page 18, delete lines 17 through 25 and insert the following:

"§16.17. Reserved"

### AMENDMENT NO. 21

On page 18, line 26, change "\$16.17." to "\$16.18."

### AMENDMENT NO. 22

On page 19, line 5, change "\$16.18." to "\$16.19." and on line 6, change "\$16.19." to "\$16.20." and "Decisions" to "Judgments"

### AMENDMENT NO. 23

On page 19, line 7, change "conclusion" to "conclusions"

### AMENDMENT NO. 24

On page 19, lines 11, 12, 14, 15, and 22; on page 21, line 19; and on page 22, line 3, change "decision" to "judgment"

### AMENDMENT NO. 25

On page 19, line 18, change "R.S. 47:16.20 and 16.22" to "R.S. 47:16.21 and 16.23"

### AMENDMENT NO. 26

On page 19, line 20, change "\$16.20." to "\$16.21."

### AMENDMENT NO. 27

On page 20, line 12, change "\$16.21." to "\$16.22."

### AMENDMENT NO. 28

On page 20, line 16, change "\$16.22." to "\$16.23."

### AMENDMENT NO. 29

On page 20, line 16, on page 21, line 3, and on page 22, line 1, delete "decision or"

### AMENDMENT NO. 30

On page 20, line 18, change "judgement" to "judgment"

### AMENDMENT NO. 31

On page 21, line 6, between "refund" and "taxes" insert "of"

### AMENDMENT NO. 32

On page 22, line 11, change "\$16,23." to "\$16.24."

### AMENDMENT NO. 33

On page 22, line 18, change "\$16.24." to "\$16.25."

### AMENDMENT NO. 34

On page 23, lines 1, 5, and 6, delete "and regulations"

### AMENDMENT NO. 35

On page 23, line 4, delete ", in accordance with the Administrative Procedure Act,"

### AMENDMENT NO. 36

On page 23, between lines 12 and 13, insert the following:

"C. All rules of the Tax Court shall be adopted in accordance with the Administrative Procedure Act with legislative review by the House Committee on Ways and Means and the Senate Committee on Revenue and Fiscal Affairs."

### AMENDMENT NO. 37

On page 29, line 3, change "State" to "S~~ta~~te"

### AMENDMENT NO. 38

On page 29, between lines 9 and 10, insert the following:

"§1407. Jurisdiction of the board

The jurisdiction of the board shall extend to the following:

(1) All matters relating to appeals ~~for the redetermination of assessments, or for the determination of overpayments~~ under R.S. 51:1301 et seq., as provided in R.S. 47:1431 through ~~47:1438.~~ \* \* \*

(4) All matters relating to claims against the state that are not within the jurisdiction of the Tax Court, as provided in R.S. 47:1481 through ~~47:1486.~~ \* \* \*

§1431. Taxpayer's petition

Whenever a taxpayer is aggrieved by an assessment made by the collector, or by the collector's the Louisiana Tax Free Shopping



Commission action or failure to act on a claim for refund or credit of an overpayment, such taxpayer may appeal to the board for a redetermination of the assessment or a determination of the alleged overpayment, by filing a petition with the board within the respective periods set forth in R.S. 47:1565, 47:1566 and 47:1625.

§1432. Notice; hearing; decision

In each proceeding for the redetermination of an assessment or for the determination of an overpayment notice and opportunity to be heard shall be given to the taxpayer and the collector and a decision or judgment shall be made as quickly as practicable.

§1437. Effect of final judgment

When the decision or judgment of the board which has become final contains a finding that the taxpayer is liable for the payment of an amount of tax, interest and penalty, such amount shall be paid by the taxpayer upon notice and demand from the collector, and shall be collectible by distraint and sale, as provided in R.S. 47:1570 through 47:1573.

When the decision or judgment of the board which has become final contains a finding that the taxpayer is entitled to receive a refund or credit of an overpayment, the collector shall promptly enter the credit or make the refund, as the case may be.

§1481. Authority of board to receive and consider claims against the state

Except as provided in R.S. 47:16.51, Any any person who has a claim against the State of Louisiana for money erroneously paid into the State Treasury, or for any other claim, may present such claim to the board of tax appeals, in such form and together with such proofs as the board of tax appeals may require, by its rules and regulations. The board shall duly examine into the justice, merits and correctness of each such claim presented to it, and shall officially pass thereon."

#### AMENDMENT NO. 39

On page 29, lines 20 and 22, change "subtitle" to "Subtitle"

#### AMENDMENT NO. 40

On page 29, line 25, change "47:1573" to "47:1573"

#### AMENDMENT NO. 41

On page 31, line 3, change "service" to "Service"

#### AMENDMENT NO. 42

On page 34, line 1, change "chapter of this title" to "Chapter of this Title"

#### AMENDMENT NO. 43

On 34, line 10, change "47:1565" to "47:1565"

#### AMENDMENT NO. 44

On page 34, line 26, change "The" to "the"

#### AMENDMENT NO. 45

On page 36, line 3, between "the" and "Tax" insert "board of tax appeals or the"

#### AMENDMENT NO. 46

On page 36, line 11, change "B." to "B."

#### AMENDMENT NO. 47

On page 36, at the beginning of line 18, insert "board of tax appeals or the"

#### AMENDMENT NO. 48

On page 36, line 23, after "1626." and "Tax" insert "Board's or"

#### AMENDMENT NO. 49

On page 36, line 25, between "the" and "Tax", insert "board of tax appeals or"

#### AMENDMENT NO. 50

On page 37, line 2, change "47:1566, or 47:1567" to "47:1566, or 47:1567"

#### AMENDMENT NO. 51

On page 37, line 5, between "the" and "court" insert "board,"

#### AMENDMENT NO. 52

On page 37, line 7, between "the" and "court" insert "board,"

#### AMENDMENT NO. 53

On page 37, at the end line 13, add "board of tax appeals or"

#### AMENDMENT NO. 54

On page 37, at the end line 15, add "board of tax appeals or"

#### AMENDMENT NO. 55

On page 37, line 17, change "47:1566, and 47:1567" to "47:1566, and 47:1567"

#### AMENDMENT NO. 56

On page 37, line 19, between "the" and "court" insert "board,"

#### AMENDMENT NO. 57

On page 37, at the end of line 21, insert "board,"

#### AMENDMENT NO. 58

On page 37, line 24, between "the" and "court" insert "board,"

#### AMENDMENT NO. 59

On page 38, line 7, change "Tax Court" to "board of tax appeals or the Tax Court, as provided by law"

#### AMENDMENT NO. 60

On page 38, line 24, between "the" and "Tax" insert "board of appeals or" and at the end of line 25, before the period, insert ", as provided by law"

#### AMENDMENT NO. 61

On page 40, delete lines 23 through 25 and insert the following:

"Section 4. R.S. 26:394(I) is hereby amended and reenacted to read as follows:

§354. Payment and reporting of taxes; discounts; rules and regulations; enforcement; forfeitures and penalties; redemption of tax stamps

\* \* \*

I. With respect to the twenty percent penalty provided in this Section, the wholesale dealer shall have the right to send a signed application for a waiver of said penalty, which application shall be provided in affidavit form setting forth the reasons for the failure to pay the taxes within the specified time. Any such application must be provided directly to the secretary, and after review by him it shall be processed with his recommendations and provided to the Board of Tax Appeals Tax Court for approval or disapproval. The Board of Tax Appeals Tax Court shall notify the secretary in writing of its decision with respect thereto.

\* \* \*

#### AMENDMENT NO. 62

On page 41, line 11, delete the second "and" and on line 12, change "property" to "properly"

#### AMENDMENT NO. 63

On page 42, delete lines 1 through 3, and insert the following:

"legislature, whichever is later, if and only if, either Senate Bill No. 674, Senate Bill No. 708, and Senate Bill No. 719, or Senate Bill No. 551, all of the 2003 Regular Session, are enacted into law."

On motion of Senator Barham, the committee amendment was adopted. The amended bill was read by title, ordered engrossed and recommitted to the Committee on Finance.

### **Rules Suspended**

Senator Adley asked for and obtained a suspension of the rules for the purpose of taking up at this time.

### **House Bills and Joint Resolutions on Second Reading Reported by Committees**

The following House Bills and Joint Resolutions reported by Committees were taken up and acted upon as follows:

#### **HOUSE BILL NO. 267—**

BY REPRESENTATIVE FRITH

#### **AN ACT**

To amend and reenact R.S. 47:302.23(B), relative to the hotel/motel sales tax dedications in Vermilion Parish; to correct the name of an entity to which funds are allocated; and to provide for related matters.

Reported favorably by the Committee on Revenue and Fiscal Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

#### **HOUSE BILL NO. 847—**

BY REPRESENTATIVES JOHN SMITH AND SALTER

#### **AN ACT**

To enact R.S. 17:1603, to designate a building on the Leesville/Fort Polk campus of Northwestern State University as the "Chester Creighton Owen Building"; and to provide for related matters.

Reported favorably by the Committee on Education. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

#### **HOUSE BILL NO. 1010—**

BY REPRESENTATIVE HAMMETT

#### **AN ACT**

To amend and reenact R.S. 47:633(9)(d)(i), (ii), and (iii), to change the source of price data used to annually adjust the severance tax rate on natural gas, natural gasoline, casinghead gasoline, and other natural gas "liquids"; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Revenue and Fiscal Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

#### **HOUSE BILL NO. 1148—**

BY REPRESENTATIVE ERDEY

#### **AN ACT**

To amend and reenact Section 9(B)(12) of Act No. 73 of the 2002 Regular Session of the Louisiana Legislature, relative to the Revenue Sharing Fund; to provide with respect to certain distributions in Livingston Parish for Fiscal Year 2002-2003; to provide for the retroactive application of this Act; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Finance. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

### **Rules Suspended**

Senator C. Jones asked for and obtained a suspension of the rules for the purpose of recalling Senate Bill No. 518 from the Committee on Finance.

#### **SENATE BILL NO. 518—**

BY SENATOR C. JONES

#### **AN ACT**

To enact R.S. 15:827.1, relative to criminal procedure; to create the reentry preparation program within the Department of Public Safety and Corrections; to require certain personnel at state correctional facilities; to provide for duties of such personnel; to require participation of certain offenders in the reentry preparation program; to require certain instruction areas in such program; to authorize the assistance of public or private organizations for the delivery of such program; to provide relative to distance instruction; to require the promulgation of rules and guidelines; and to provide for related matters.

On motion of Senator C. Jones, the bill was read by title ordered engrossed and passed to a third reading.

### **Recess**

On motion of Senator Lambert, the Senate took a recess until 4:30 o'clock P.M.

### **After Recess**

The Senate was called to order at 4:30 o'clock P.M. by the President of the Senate.

### **ROLL CALL**

The roll being called, the following members answered to their names:

#### **PRESENT**

Mr. President	Fontenot	Marionneaux
Adley	Gautreaux	McPherson
Bajoie	Heitmeier	Michot
Barham	Hines	Mount
Boissiere	Hollis	Romero
Cain	Hoyt	Schedler
Chaisson	Irons	Smith
Cravins	Johnson	Tarver
Dardenne	Jones, B	Theunissen
Dean	Jones, CD	Thomas
Dupre	Lambert	Ullo
Ellington	Lentini	
Fields	Malone	
Total—37		

#### **ABSENT**

Bean	Holden
Total—2	

The President of the Senate announced there were 37 Senators present and a quorum.

### **Senate Business Resumed**

### **Messages from the House**

The following Messages from the House were received and read as follows:

**Message from the House****CONCURRING IN  
SENATE CONCURRENT RESOLUTIONS**

April 23, 2003

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally concurred in the following Senate Concurrent Resolutions:

**SENATE CONCURRENT RESOLUTION NO. 46—**

BY SENATOR SMITH

**A CONCURRENT RESOLUTION**

To commend and congratulate Alexander Billioux on being awarded a Marshall Scholarship.

Reported without amendments.

**SENATE CONCURRENT RESOLUTION NO. 48—**

BY SENATOR SMITH

**A CONCURRENT RESOLUTION**

To commend and congratulate Casey Crowder on her reign as Miss Louisiana 2002.

Reported without amendments.

**SENATE CONCURRENT RESOLUTION NO. 52—**

BY SENATOR HOLDEN

**A CONCURRENT RESOLUTION**

To commend the players, coaches, and managerial personnel of the 2002-2003 Southern University Lab School Girls Basketball Team on winning the State 1-A Girls State Basketball Championship.

Reported without amendments.

**SENATE CONCURRENT RESOLUTION NO. 53—**

BY SENATOR HOLDEN

**A CONCURRENT RESOLUTION**

To commend the players, coaches, and managerial personnel of the 2002-2003 Southern University Lab School Boys Basketball Team on winning the State 1-A Boys State Basketball Championship.

Reported without amendments.

**SENATE CONCURRENT RESOLUTION NO. 54—**

BY SENATOR MOUNT

**A CONCURRENT RESOLUTION**

To commend and congratulate the Ruth Chapter No. 16 of the Order of the Eastern Star on its 100th anniversary and to recognize and acknowledge its numerous contributions and efforts to improve the quality of life for the residents of Calcasieu Parish and the state.

Reported without amendments.

Respectfully submitted,

ALFRED W. SPEER

Clerk of the House of Representatives

**Introduction of Senate Bills  
and Joint Resolutions**

Senator Lambert asked for and obtained a suspension of the rules for the purpose of introducing and reading the following Senate Bills and Joint Resolutions a first and second time and referring them to committee.

**SENATE BILL NO. 1044—**

BY SENATOR CAIN

**AN ACT**

To amend and reenact R.S. 47:103(A)(2), relative to personal, state income taxes; to provide for a date for the filing of returns and payment of taxes due; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Revenue and Fiscal Affairs.

**Introduction of Resolutions,  
Senate and Concurrent**

Senator Lambert asked for and obtained a suspension of the rules for the purpose of introducing and reading the following Resolutions, Senate and Concurrent, a first and second time and acting upon them as follows:

**SENATE RESOLUTION NO. 20—**

BY SENATOR DARDENNE

**A RESOLUTION**

To recognize Wednesday, April 23, 2003, as Dental Hygiene Day and to commend dental hygienists around the state for their outstanding contributions to the oral health of citizens of the state of Louisiana.

On motion of Senator Dardenne, the resolution was read by title and adopted.

**SENATE RESOLUTION NO. 21—**

BY SENATOR B. JONES

**A RESOLUTION**

To recognize September, 2003 as Parent Teacher Association Membership Month in Louisiana.

The resolution was read by title. Senator B. Jones moved to adopt the Senate Resolution.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Fontenot	Malone
Adley	Gautreaux	Marionneaux
Barham	Heitmeier	Michot
Boissiere	Hines	Mount
Chaisson	Hollis	Romero
Cravins	Hoyt	Schedler
Dardenne	Jones, B	Smith
Dean	Jones, CD	Ullo
Dupre	Lambert	
Ellington	Lentini	
Total—28		

**NAYS**

Total—0

**ABSENT**

Bajoie	Holden	Tarver
Bean	Irons	Theunissen
Cain	Johnson	Thomas
Fields	McPherson	
Total—11		

The Chair declared the Senate had adopted the Senate Resolution.

**SENATE CONCURRENT RESOLUTION NO. 55—**  
BY SENATOR B. JONES AND REPRESENTATIVES DOWNS AND GALLOT

**A CONCURRENT RESOLUTION**

To express the sincere and heartfelt condolences of the Legislature of Louisiana upon the death of George B. Holstead, Jr. of Ruston and the enduring gratitude of the members for his outstanding contributions to the city of Ruston, Lincoln Parish, and the state of Louisiana, particularly during his sixteen-year tenure as a distinguished member of the Louisiana House of Representatives.

The resolution was read by title. Senator B. Jones moved to adopt the Senate Concurrent Resolution.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Adley	Fontenot	Malone
Barham	Gautreaux	Marionneaux
Boissiere	Heitmeier	Michot
Cain	Hines	Mount
Chaisson	Hollis	Romero
Cravins	Hoyt	Schedler
Dardenne	Jones, B	Smith
Dean	Jones, CD	Tarver
Dupre	Lambert	Ullo
Ellington	Lentini	
Total—29		

**NAYS**

Total—0

**ABSENT**

Mr. President	Holden	Theunissen
Bajoie	Irons	Thomas
Bean	Johnson	
Fields	McPherson	
Total—10		

The Chair declared the Senate had adopted the Senate Concurrent Resolution and ordered it sent to the House.

**Messages from the House**

The following Messages from the House were received and read as follows:

**Message from the House**

**ASKING CONCURRENCE IN  
HOUSE BILLS AND JOINT RESOLUTIONS**

April 23, 2003

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed and asks your concurrence in the following House Bills and Joint Resolutions:

**HOUSE BILL NO. 1103—**

BY REPRESENTATIVE FRUGE

**AN ACT**

To amend and reenact R.S. 9:4753, relative to privileges; to provide for the lien on proceeds recovered on account of injuries; to provide for the requirements necessary to effectuate the lien; and to provide for related matters.

**HOUSE BILL NO. 72—**

BY REPRESENTATIVE BALDONE

**AN ACT**

To amend and reenact R.S. 9:196, relative to tutorship by nature; to authorize a natural tutor to act in matters involving not more than ten thousand dollars; and to provide for related matters.

**HOUSE BILL NO. 1750—**

BY REPRESENTATIVE DANIEL

**AN ACT**

To enact R.S. 47:301(10)(w), (13)(j), and (18)(j), relative to local sales and use taxes; to provide for definitions relative to the taxation of the sale of other disposition of certain tangible personal property by a dealer in connection with the sale or use of mobile telecommunications services; to provide for an effective date; and to provide for related matters.

**HOUSE BILL NO. 1021—**

BY REPRESENTATIVES DEVILLIER, BRUCE, AND MURRAY

**AN ACT**

To amend and reenact R.S. 14:81.1(F) and 283(D) and R.S. 44:4.1(B)(26) and (27) and to enact R.S. 14:283(E) and R.S. 46:1845, relative to evidence of child pornography, obscenity, and video voyeurism; to declare that certain items of evidence are contraband; to provide for the seizure and disposition of contraband involving child pornographic, video voyeuristic, and obscene evidence; to provide relative to the privacy of victims; to provide for limitation of access to pornographic, video voyeuristic, or obscene evidence; to provide for the disposition of such evidence; to provide for definitions; to provide for a contradictory hearing; to provide for the disposition of evidence; to provide for the issuance of a court order; to provide for guidelines to be used when deciding whether to limit access to certain evidentiary items; to provide for exceptions to the public records law; and to provide for related matters.

**HOUSE BILL NO. 1174—**

BY REPRESENTATIVE DAMICO

**AN ACT**

To amend and reenact R.S. 30:2011(D)(9) and to enact R.S. 36:254(A)(15) and 354(A)(18), relative to significant discharges or releases; to require the secretaries of Departments of Environmental Quality, Health and Hospitals, and Natural Resources to give public notice of certain discharges and releases; and to provide for related matters.

**HOUSE BILL NO. 1331—**

BY REPRESENTATIVE WINSTON

**AN ACT**

To enact R.S. 40:34(B)(1)(h)(vi), relative to birth certificates; to provide for the inclusion of the name of the father; to provide for certain evidence and procedures; and to provide for related matters.

**HOUSE BILL NO. 223—**

BY REPRESENTATIVE MURRAY

**AN ACT**

To enact Code of Civil Procedure Article 4061.1, relative to natural tutors; to provide exceptions from qualifying in certain circumstances; to provide for the filing of petitions for delictual actions on behalf of minors; to provide for the form of the petition; and to provide for related matters.

**HOUSE BILL NO. 282—**

BY REPRESENTATIVES DEWITT AND MURRAY

**A JOINT RESOLUTION**

Proposing to amend Article XII, Section 8.1(C)(1)(f) and (g) of the Constitution of Louisiana and to repeal Article XII, Section 8.1(C)(1)(h), relative to the Louisiana Workers' Compensation Corporation; to provide for appointment of members to the board of directors; to remove provision for the appointment of a representative from the state office of risk management; to

provide for submission of the proposed amendment to the electors; and to provide for related matters.

Respectfully submitted,  
ALFRED W. SPEER  
Clerk of the House of Representatives

### House Bills and Joint Resolutions

Senator Lambert asked for and obtained a suspension of the rules to take up at this time the following House Bills and Joint Resolutions just received from the House of Representatives with the view of acting on the same:

#### HOUSE BILL NO. 72—

BY REPRESENTATIVE BALDONE  
AN ACT

To amend and reenact R.S. 9:196, relative to tutorship by nature; to authorize a natural tutor to act in matters involving not more than ten thousand dollars; and to provide for related matters.

The bill was read by title; lies over under the rules.

#### HOUSE BILL NO. 223—

BY REPRESENTATIVE MURRAY  
AN ACT

To enact Code of Civil Procedure Article 4061.1, relative to natural tutors; to provide exceptions from qualifying in certain circumstances; to provide for the filing of petitions for delictual actions on behalf of minors; to provide for the form of the petition; and to provide for related matters.

The bill was read by title; lies over under the rules.

#### HOUSE BILL NO. 282—

BY REPRESENTATIVES DEWITT AND MURRAY  
A JOINT RESOLUTION

Proposing to amend Article XII, Section 8.1(C)(1)(f) and (g) of the Constitution of Louisiana and to repeal Article XII, Section 8.1(C)(1)(h), relative to the Louisiana Workers' Compensation Corporation; to provide for appointment of members to the board of directors; to remove provision for the appointment of a representative from the state office of risk management; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

The bill was read by title; lies over under the rules.

#### HOUSE BILL NO. 1021—

BY REPRESENTATIVES DEVILLIER, BRUCE, AND MURRAY  
AN ACT

To amend and reenact R.S. 14:81.1(F) and 283(D) and R.S. 44:4.1(B)(26) and (27) and to enact R.S. 14:283(E) and R.S. 46:1845, relative to evidence of child pornography, obscenity, and video voyeurism; to declare that certain items of evidence are contraband; to provide for the seizure and disposition of contraband involving child pornographic, video voyeuristic, and obscene evidence; to provide relative to the privacy of victims; to provide for limitation of access to pornographic, video voyeuristic, or obscene evidence; to provide for the disposition of such evidence; to provide for definitions; to provide for a contradictory hearing; to provide for the disposition of evidence; to provide for the issuance of a court order; to provide for guidelines to be used when deciding whether to limit access to certain evidentiary items; to provide for exceptions to the public records law; and to provide for related matters.

The bill was read by title; lies over under the rules.

#### HOUSE BILL NO. 1103—

BY REPRESENTATIVE FRUGE  
AN ACT

To amend and reenact R.S. 9:4753, relative to privileges; to provide for the lien on proceeds recovered on account of injuries; to provide for the requirements necessary to effectuate the lien; and to provide for related matters.

The bill was read by title; lies over under the rules.

#### HOUSE BILL NO. 1174—

BY REPRESENTATIVE DAMICO  
AN ACT

To amend and reenact R.S. 30:2011(D)(9) and to enact R.S. 36:254(A)(15) and 354(A)(18), relative to significant discharges or releases; to require the secretaries of Departments of Environmental Quality, Health and Hospitals, and Natural Resources to give public notice of certain discharges and releases; and to provide for related matters.

The bill was read by title; lies over under the rules.

#### HOUSE BILL NO. 1331—

BY REPRESENTATIVE WINSTON  
AN ACT

To enact R.S. 40:34(B)(1)(h)(vi), relative to birth certificates; to provide for the inclusion of the name of the father; to provide for certain evidence and procedures; and to provide for related matters.

The bill was read by title; lies over under the rules.

#### HOUSE BILL NO. 1750—

BY REPRESENTATIVE DANIEL  
AN ACT

To enact R.S. 47:301(10)(w), (13)(j), and (18)(j), relative to local sales and use taxes; to provide for definitions relative to the taxation of the sale of other disposition of certain tangible personal property by a dealer in connection with the sale or use of mobile telecommunications services; to provide for an effective date; and to provide for related matters.

The bill was read by title; lies over under the rules.

### Message from the House

#### ASKING CONCURRENCE IN HOUSE CONCURRENT RESOLUTIONS

April 23, 2003

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed and asks your concurrence in the following House Concurrent Resolutions:

#### HOUSE CONCURRENT RESOLUTION NO. 6—

BY REPRESENTATIVES ODINET, DANIEL, FAUCHEUX, HAMMETT, HILL, LANDRIEU, MONTGOMERY, AND TOWNSEND  
A CONCURRENT RESOLUTION

To memorialize the United States Congress to repeal the provisions of the Internal Revenue Code which provide for the taxation of Social Security income.

#### HOUSE CONCURRENT RESOLUTION NO. 39—

BY REPRESENTATIVES ODINET, DURAND, GUILLORY, AND WELCH  
A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to review and consider eliminating the provisions of law which reduce or totally eliminate social security benefits for those persons who also receive a state or local government retirement benefit.

**HOUSE CONCURRENT RESOLUTION NO. 44—**  
BY REPRESENTATIVES WINSTON, DURAND, KATZ, SCHWEGMANN,  
WALKER, AND WELCH

**A CONCURRENT RESOLUTION**

To create the Task Force on Legal Representation in Child Protection Cases to study systemic issues and concerns related to the provision of legal representation for abused and neglected children and their parents in child protection cases and to make recommendations on how these services may be more effectively and efficiently provided and funded.

**HOUSE CONCURRENT RESOLUTION NO. 54—**  
BY REPRESENTATIVE JOHNS

**A CONCURRENT RESOLUTION**

Urges and requests the Judicial Council of the Supreme Court of Louisiana to study the implementation of parent coordinators to manage high-conflict custody cases in the district courts.

**HOUSE CONCURRENT RESOLUTION NO. 66—**  
BY REPRESENTATIVE SALTER

**A CONCURRENT RESOLUTION**

To prohibit the Office of Elderly Affairs from making certain planning and service area changes and federal funding distribution changes relative to the Older Americans Act.

**HOUSE CONCURRENT RESOLUTION NO. 124—**  
BY REPRESENTATIVES GALLOT AND DOWNS

**A CONCURRENT RESOLUTION**

To commend Gerald Wayne Cobb upon his retirement as superintendent of the Lincoln Parish school system, to recognize and record his myriad accomplishments and his remarkable contributions to his parish, and to extend to him the best wishes of the Legislature of Louisiana as he embarks upon new challenges and endeavors.

**HOUSE CONCURRENT RESOLUTION NO. 115—**  
BY REPRESENTATIVE STRAIN

**A CONCURRENT RESOLUTION**

To urge and request the United States Environmental Protection Agency and the United States Army Corps of Engineers to revise their regulatory authority in light of the United States Supreme Court decision in *Solid Waste Agency of Northern Cook County v. U.S. Army Corps of Engineers*, 531 U.S. 159 (2001) (SWANCC).

Respectfully submitted,  
ALFRED W. SPEER

Clerk of the House of Representatives

**House Concurrent Resolutions**

Senator Lambert asked for and obtained a suspension of the rules to take up at this time the following House Concurrent Resolutions just received from the House which were taken up, read a first and second time by their titles and acted upon as follows:

**HOUSE CONCURRENT RESOLUTION NO. 6—**  
BY REPRESENTATIVES ODINET, DANIEL, FAUCHEUX, HAMMETT,  
HILL, LANDRIEU, MONTGOMERY, AND TOWNSEND

**A CONCURRENT RESOLUTION**

To memorialize the United States Congress to repeal the provisions of the Internal Revenue Code which provide for the taxation of Social Security income.

On motion of Senator Lambert, the resolution was read by title and referred to the Committee on Revenue and Fiscal Affairs.

**HOUSE CONCURRENT RESOLUTION NO. 39—**  
BY REPRESENTATIVES ODINET, DURAND, GUILLOREY, AND WELCH

**A CONCURRENT RESOLUTION**

To memorialize the Congress of the United States to review and consider eliminating the provisions of law which reduce or

totally eliminate social security benefits for those persons who also receive a state or local government retirement benefit.

On motion of Senator Lambert, the resolution was read by title and referred to the Committee on Revenue and Fiscal Affairs.

**HOUSE CONCURRENT RESOLUTION NO. 44—**  
BY REPRESENTATIVES WINSTON, DURAND, KATZ, SCHWEGMANN,  
WALKER, AND WELCH

**A CONCURRENT RESOLUTION**

To create the Task Force on Legal Representation in Child Protection Cases to study systemic issues and concerns related to the provision of legal representation for abused and neglected children and their parents in child protection cases and to make recommendations on how these services may be more effectively and efficiently provided and funded.

On motion of Senator Lambert, the resolution was read by title and referred to the Committee on Judiciary A.

**HOUSE CONCURRENT RESOLUTION NO. 54—**  
BY REPRESENTATIVE JOHNS

**A CONCURRENT RESOLUTION**

Urges and requests the Judicial Council of the Supreme Court of Louisiana to study the implementation of parent coordinators to manage high-conflict custody cases in the district courts.

On motion of Senator Lambert, the resolution was read by title and referred to the Committee on Judiciary A.

**HOUSE CONCURRENT RESOLUTION NO. 66—**  
BY REPRESENTATIVE SALTER

**A CONCURRENT RESOLUTION**

To prohibit the Office of Elderly Affairs from making certain planning and service area changes and federal funding distribution changes relative to the Older Americans Act.

On motion of Senator Lambert, the resolution was read by title and referred to the Committee on Health and Welfare.

**HOUSE CONCURRENT RESOLUTION NO. 115—**  
BY REPRESENTATIVE STRAIN

**A CONCURRENT RESOLUTION**

To urge and request the United States Environmental Protection Agency and the United States Army Corps of Engineers to revise their regulatory authority in light of the United States Supreme Court decision in *Solid Waste Agency of Northern Cook County v. U.S. Army Corps of Engineers*, 531 U.S. 159 (2001) (SWANCC).

On motion of Senator Lambert, the resolution was read by title and referred to the Committee on Environmental Quality.

**HOUSE CONCURRENT RESOLUTION NO. 124—**  
BY REPRESENTATIVES GALLOT AND DOWNS

**A CONCURRENT RESOLUTION**

To commend Gerald Wayne Cobb upon his retirement as superintendent of the Lincoln Parish school system, to recognize and record his myriad accomplishments and his remarkable contributions to his parish, and to extend to him the best wishes of the Legislature of Louisiana as he embarks upon new challenges and endeavors.

The resolution was read by title. Senator B. Jones moved to concur in the House Concurrent Resolution.

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President	Fontenot	Lentini
Adley	Gautreaux	Malone
Bajoie	Heitmeier	McPherson
Barham	Hines	Michot
Boissiere	Hollis	Mount
Cain	Hoyt	Romero
Chaisson	Irons	Schedler
Cravins	Johnson	Smith
Dardenne	Jones, B	Tarver
Dean	Jones, CD	Theunissen
Dupre	Lambert	Ullo
Total—33		

NAYS

Total—0

ABSENT

Bean	Fields	Marionneaux
Ellington	Holden	Thomas
Total—6		

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

### House Concurrent Resolutions on Second Reading

The following House Concurrent Resolutions were read and acted upon as follows:

#### HOUSE CONCURRENT RESOLUTION NO. 116—

BY REPRESENTATIVE BALDONE

##### A CONCURRENT RESOLUTION

To urge and request the governor and the commissioner of administration to take the necessary steps to enable the state of Louisiana to purchase Elmer's Island in Jefferson Parish.

On motion of Senator Lambert, the resolution was read by title and referred to the Committee on Natural Resources.

#### HOUSE CONCURRENT RESOLUTION NO. 117—

BY REPRESENTATIVE TOWNSEND

##### A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to provide an exemption to the Sherman Anti-Trust Act to allow small and medium sized United States based and owned lumber manufacturers to sell their products through company-owned retail outlets.

On motion of Senator Lambert, the resolution was read by title and referred to the Committee on Agriculture.

#### HOUSE CONCURRENT RESOLUTION NO. 118—

BY REPRESENTATIVE SALTER

##### A CONCURRENT RESOLUTION

To commend the Louisiana Work Force Commission and the Inter-agency Collaborative and to support Work Ready! Certificates.

The resolution was read by title. Senator Adley moved to concur in the House Concurrent Resolution.

### ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fontenot	Malone
Adley	Gautreaux	Marionneaux
Bajoie	Heitmeier	McPherson
Barham	Hines	Michot

Boissiere	Hollis	Mount
Cain	Hoyt	Romero
Chaisson	Irons	Schedler
Cravins	Johnson	Smith
Dardenne	Jones, B	Tarver
Dean	Jones, CD	Theunissen
Dupre	Lambert	Thomas
Ellington	Lentini	Ullo
Total—36		

NAYS

Total—0

ABSENT

Bean	Fields	Holden
Total—3		

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

#### HOUSE CONCURRENT RESOLUTION NO. 119—

BY REPRESENTATIVES CRANE, GLOVER, ILES, MCVEA, JANE SMITH, JOHN SMITH, TUCKER, AND WALSWORTH AND SENATORS DARDENNE, BEAN, CAIN, DEAN, HOLDEN, B. JONES, AND MALONE

##### A CONCURRENT RESOLUTION

To commend the recipients of the 2003 Young Heroes awards.

The resolution was read by title. Senator Dardenne moved to concur in the House Concurrent Resolution.

### ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fontenot	Malone
Adley	Gautreaux	Marionneaux
Bajoie	Heitmeier	McPherson
Barham	Hines	Michot
Boissiere	Hollis	Mount
Cain	Hoyt	Romero
Chaisson	Irons	Schedler
Cravins	Johnson	Smith
Dardenne	Jones, B	Tarver
Dean	Jones, CD	Theunissen
Dupre	Lambert	Thomas
Ellington	Lentini	Ullo
Total—36		

NAYS

Total—0

ABSENT

Bean	Fields	Holden
Total—3		

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

#### HOUSE CONCURRENT RESOLUTION NO. 120—

BY REPRESENTATIVE BOWLER

##### A CONCURRENT RESOLUTION

To urge and request the state legislatures in the United States to oppose legislation to participate in Interstate Insurance Product Regulation Compact.

On motion of Senator Lambert, the resolution was read by title and referred to the Committee on Insurance.

### HOUSE CONCURRENT RESOLUTION NO. 121— BY REPRESENTATIVE BEARD

#### A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to limit the appellate jurisdiction of the federal courts regarding the recitation of the Pledge of Allegiance in public schools.

On motion of Senator Lambert, the resolution was read by title and referred to the Committee on Judiciary A.

### HOUSE CONCURRENT RESOLUTION NO. 122— BY REPRESENTATIVE K. CARTER

#### A CONCURRENT RESOLUTION

To join in "Celebrating the French Quarter", to proclaim April 22, 2003, as New Orleans Day at the legislature, and to provide for suitable observance of this special day.

The resolution was read by title. Senator Irons moved to concur in the House Concurrent Resolution.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. President	Fontenot	Marionneaux
Adley	Gautreaux	McPherson
Bajoie	Heitmeier	Michot
Barham	Hines	Mount
Boissiere	Hollis	Romero
Cain	Hoyt	Schedler
Chaisson	Irons	Smith
Cravins	Johnson	Tarver
Dardenne	Jones, CD	Theunissen
Dean	Lambert	Thomas
Dupre	Lentini	Ullo
Ellington	Malone	
Total—35		

#### NAYS

Total—0

#### ABSENT

Bean	Holden
Fields	Jones, B
Total—4	

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

### Rules Suspended

Senator Lambert asked for and obtained a suspension of the rules for the purpose of taking up at this time.

### Reports of Committees

The following reports of committees were received and read:

#### REPORT OF COMMITTEE ON

#### JUDICIARY A

Senator Ellington, Chairman on behalf of the Committee on Judiciary A, submitted the following report:

April 23, 2003

To the President and Members of the Senate:

I am directed by your Committee on Judiciary A to submit the following report:

### SENATE BILL NO. 60— BY SENATOR LENTINI

#### A JOINT RESOLUTION

Proposing to amend Article I, Section 4 of the Constitution of Louisiana, relative to the right to property; to provide that no person may enter or remain in or upon the private property of another without authorization, either express, legal or implied; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

Reported with amendments.

### SENATE BILL NO. 296— BY SENATOR DARDENNE

#### AN ACT

To amend and reenact R.S. 37:786(A) through (E) and to enact R.S. 37:786(F) through (I), relative to the practice of dentistry; to provide for judicial review of decisions made by the board of dentistry; to provide for procedures; to provide for the furnishing of security; to provide for the filing of additional evidence; to provide for reversal or modification of board decisions under certain specified circumstances; and to provide for related matters.

Reported with amendments.

### SENATE BILL NO. 596— BY SENATOR CHAISSON

#### AN ACT

To amend and reenact R.S. 13:352(C), relative to court of appeal clerks; to provide for reimbursement to judges of the courts of appeal for expenses incurred while on official duty; to provide that such reimbursement be payable out of self-generated funds; and to provide for related matters.

Reported favorably.

### SENATE BILL NO. 853— BY SENATOR ELLINGTON

#### AN ACT

To enact Chapter 34 of Title 13 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 13:5400 through 5414, relative to particular classes of actions and cases; to provide for an inactive docket registry; to provide for medical criteria for certain civil claims; to provide for civil claims involving exposure to asbestos; to provide for definitions; and to provide for related matters.

Reported with amendments.

Respectfully submitted,  
NOBLE E. ELLINGTON  
Chairman

### REPORT OF COMMITTEE ON

#### JUDICIARY B

Senator Cravins, Chairman on behalf of the Committee on Judiciary B, submitted the following report:

April 23, 2003

To the President and Members of the Senate:

I am directed by your Committee on Judiciary B to submit the following report:



**SENATE BILL NO. 482—**  
BY SENATOR CHAISSON

AN ACT

To amend and reenact R.S. 27:302(A)(5)(j), relative to the Video Draw Poker Devices Control Law; to provide with respect to description and specification of devices; to provide for use of thermal printers in video gaming devices and other alternate means of capturing duplicate information of a ticket voucher; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 796—**  
BY SENATOR CRAVINS

AN ACT

To enact 15:574.23, relative to parole; to create a Louisiana Juvenile Risk Review Panel; to provide for membership of the panel; to provide for the powers and duties of the panel; to provide for the adoption of rules; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 957—**

BY SENATORS CRAVINS, BAJOE, JONES, C. D., LENTINI, MICHOT, AND MOUNT AND REPRESENTATIVES LANDRIEU, HUNTER, MARTINY, AND WINSTON

AN ACT

To amend and reenact R.S. 15:906(A) and R.S. 46:2601(A)(1), 2603(A) and (B)(2), and 2604 and Children's Code Articles 810 and 897.1, to enact Part XII of Chapter 7 of Title 15 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 15:1111, Chapter 14 of Title 15 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 15:1461 through 1464, Subpart C-1 of Part III of Chapter 1 of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:251 and 252, Chapter 11 of Title 24 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 24:671 through 673, Part I of Chapter 45 of Title 46 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 46:2600, R.S. 46:2605.1, 2605.2, 2605.3 and 2605.4, and Part III of Chapter 45 of Title 46 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 46:2608 through 2611, to designate Part II of Chapter 45, comprising R.S. 46:2601 through 2606 as "Part II. Children's Cabinet, Children's Budget, and Affiliated Boards", and to repeal R.S. 15:906(B) and R.S. 46:2607, all relative to the reform of juvenile justice; to create the Juvenile Justice Reform Act of 2003; to establish juvenile detention standards and licensing procedures; to establish interagency agreements for sharing of juvenile information; to create the Joint Legislative Juvenile Justice Policy Priority Committee, including a plan for the recommendation of a Department of Children, Youth, and Families; to create the Education/Juvenile Justice Partnership Act; to continue beyond August 15, 2003, the Children's Cabinet; to provide definitions for certain provisions governing the Children's Cabinet; to provide with respect to the powers and duties of the Children's Cabinet; to provide with respect to the preparation of the children's budget; to create the Children's Cabinet Research Council; to create the Louisiana Juvenile Justice Planning and Coordination Board; to create nine regional juvenile justice planning and coordination advisory boards; to provide for the standardization of service regions; to create the Louisiana Children's Children, Youth, and Families Investment Fund, to create the Community-based Sanctions and Services Grant Program; to provide with respect to waiver of counsel for children; to provide with respect to disposition after adjudication of certain felony-grade delinquent acts; and to provide for related matters.

Reported with amendments.

Respectfully submitted,  
DONALD R. CRAVINS  
Chairman

**REPORT OF COMMITTEE ON**

**JUDICIARY C**

Senator Lentini, Chairman on behalf of the Committee on Judiciary C, submitted the following report:

April 23, 2003

To the President and Members of the Senate:

I am directed by your Committee on Judiciary C to submit the following report:

**SENATE BILL NO. 71—**  
BY SENATOR DUPRE

AN ACT

To amend and reenact R.S. 32:666(A), relative to the offense driving while intoxicated; to provide for penalties for any person who refuses to submit to a chemical test after he is involved in a fatal crash or a crash resulting in serious injury which involves alcohol; to require that such penalties be the same as those imposed for a first offense violation of driving while intoxicated; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 72—**  
BY SENATOR DUPRE

AN ACT

To amend and reenact R.S. 15:307(B), relative to ignition interlock devices; to provide relative to the installation of ignition interlock devices as a requirement of probation for operating a vehicle while intoxicated; to prohibit the mail order purchase of such a device; to provide for definitions; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 98—**  
BY SENATOR LENTINI

AN ACT

To amend and reenact R.S. 14:63 and to repeal R.S. 14:63.1, 63.2, 63.5, 63.6, 63.7, 63.8, 63.9, 63.10, and 63.12, relative to criminal trespass; to provide for the crime of unauthorized entry; to provide for penalties; to provide exemptions; to provide for the limitation of liability of owners, lessees, and custodians; to delete certain specific types of crimes of trespass; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 108—**  
BY SENATOR HOYT

AN ACT

To enact Part VIII of Chapter 4 of Title 15 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 15:571.50 through 571.52, relative to district courts; to authorize each judicial district to establish job intervention programs for first-time offenders convicted of certain offenses; to provide for program administration; to provide for eligibility; to specify conditions of participation; to require each participant to enter into a probation agreement; to provide for the terms of such an agreement; to provide for the responsibilities of any participating employer; to provide for program evaluation; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 143—**  
BY SENATOR DUPRE

AN ACT

To amend and reenact R.S. 14:98(B)(2), (C)(2) and (K), R.S. 15:306(A), and R.S. 32:378.2(A)(2)(a)(i) and 667(B)(1) and (3) and to enact R.S. 32:414(A)(1)(c), relative to driving while intoxicated; to provide relative to penalties for first or second offense driving while intoxicated under certain circumstances; to increase the time for suspension of driver's licenses for such offenses; to authorize a restricted license under certain conditions; to prohibit a restricted license under certain circumstances; to require the installation of an ignition interlock device for such authorization; to require installation of an ignition interlock device during certain periods of suspension; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 179—**  
BY SENATOR DUPRE

AN ACT

To enact R.S. 32:59 and Code of Criminal Procedure Art. 814(A)(60), relative to motor vehicles and criminal procedure; to provide relative to the Highway Regulatory Act; to create the offense of aggressive driving; to provide penalties; to provide for a responsive verdict to reckless operation of a vehicle; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 479—**  
BY SENATOR CHAISSON

AN ACT

To amend and reenact R.S. 32:300(A) and to enact R.S. 32:300(F), relative to alcoholic beverages; to prohibit passengers in motor vehicles from possessing open alcoholic beverage containers; to prohibit such persons from consuming alcoholic beverages; to provide for exceptions; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 554—**  
BY SENATOR DUPRE

AN ACT

To amend and reenact R.S. 14:98(K)(1) and (K)(2)(a) and the introductory paragraph of 334(A), R.S. 32:378.2(A)(1) and (2)(a), 414(A)(1)(b) and (3)(c) and (B)(2)(b), 415.1(A)(1)(introductory paragraph), 430(E) and (F)(1), 667(B)(3), and 668(B)(1)(c), to enact R.S. 14:98(C)(4) and to repeal R.S. 15:306, relative to driver's licenses; to prohibit any person placed on probation or had his license suspended for a second or subsequent offense of driving while intoxicated from obtaining a restricted driver's license; to remove the exception allowing such person to obtain a restricted license if an ignition interlock device is installed on his motor vehicle; to authorize a license at the conclusion of such license suspension with the installation of an ignition interlock device; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 756—**  
BY SENATOR HOYT

AN ACT

To amend and reenact R.S. 14:43(A) and the introductory paragraph of R.S. 14:43.1(A), relative to rape and sexual battery; to provide relative to the crime of simple rape; to provide relative to the crime of sexual battery; to provide relative to the spouse of the offender; to repeal the exception that such relationship precludes the occurrence of such crimes; and to provide for related matters.

Reported with amendments.

Respectfully submitted,  
ARTHUR J. "ART" LENTINI  
Chairman

**REPORT OF COMMITTEE ON  
ENVIRONMENTAL QUALITY**

Senator Cain, Chairman on behalf of the Committee on Environmental Quality, submitted the following report:

April 23, 2003

To the President and Members of the Senate:

I am directed by your Committee on Environmental Quality to submit the following report:

**SENATE BILL NO. 99—**  
BY SENATORS CAIN AND FONTENOT  
AN ACT

To amend and reenact R.S. 38:3098(A), relative to ground water wells; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 381—**  
BY SENATOR SCHEDLER  
AN ACT

To amend and reenact R.S. 30:2011(A)(3) and (D)(23), 2074(A)(4) and (B)(8), 2080, 2081, 2083, and R.S. 40:2821(B)(4) and (5), 2822(1), 2824, 2825(A)(2)(c) and (f), 2826(A), (B), (D), (E), and (F), and to enact R.S. 36:254.1, relative to public health and safety; to provide for the transfer of authority from the Department of Environmental Quality to the Department of Health and Hospitals relative to the administering of the fund; to authorize the Department of Health and Hospitals to issue tax-exempt debt relative to the fund; and to provide for related matters.

Reported favorably.

Respectfully submitted,  
JAMES DAVID CAIN  
Chairman

**Senate Concurrent Resolutions  
on Second Reading  
Reported by Committees**

The following Senate Concurrent Resolutions reported by Committees were taken up and acted upon as follows:

**SENATE CONCURRENT RESOLUTION NO. 19—**  
BY SENATOR MCPHERSON  
A CONCURRENT RESOLUTION

To establish a study commission to develop a plan for achieving reliable long-term funding for the Louisiana Department of Wildlife and Fisheries.

Reported favorably by the Committee on Natural Resources.

The resolution was read by title. Senator McPherson moved to adopt the Senate Concurrent Resolution.

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President  
Adley  
Bajoie  
Barham  
Boissiere  
Cain  
Chaisson  
Cravins  
Dardenne  
Dean  
Dupre  
Ellington  
Total—36

Fields  
Fontenot  
Gautreaux  
Heitmeier  
Hines  
Hollis  
Hoyt  
Irons  
Johnson  
Jones, CD  
Lambert  
Lentini

Malone  
Marionneaux  
McPherson  
Michot  
Mount  
Romero  
Schedler  
Smith  
Tarver  
Theunissen  
Thomas  
Ullo

NAYS

Total—0

ABSENT

Bean  
Total—3

Holden

Jones, B

The Chair declared the Senate had adopted the Senate Concurrent Resolution and ordered it sent to the House.

**SENATE CONCURRENT RESOLUTION NO. 20—**  
BY SENATOR MCPHERSON

**A CONCURRENT RESOLUTION**

To urge and request the Department of Wildlife and Fisheries to research and document the number of ducks in federal refuges in the Mississippi Flyway.

Reported favorably by the Committee on Natural Resources.

The resolution was read by title. Senator McPherson moved to adopt the Senate Concurrent Resolution.

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President  
Adley  
Bajoie  
Barham  
Boissiere  
Cain  
Chaisson  
Cravins  
Dardenne  
Dean  
Dupre  
Ellington  
Total—35

Fontenot  
Gautreaux  
Heitmeier  
Hines  
Hollis  
Hoyt  
Irons  
Johnson  
Jones, CD  
Lambert  
Lentini  
Malone

Marionneaux  
McPherson  
Michot  
Mount  
Romero  
Schedler  
Smith  
Tarver  
Theunissen  
Thomas  
Ullo

NAYS

Total—0

ABSENT

Bean  
Fields  
Total—4

Holden  
Jones, B

The Chair declared the Senate had adopted the Senate Concurrent Resolution and ordered it sent to the House.

**Motion to Recommit**

Senator Boissiere asked for and obtained a suspension of the rules and recommitted Senate Bill No. 828 from the Committee on Finance to the Committee on Revenue and Fiscal Affairs.

**Senate Concurrent Resolutions on  
Third Reading  
and Final Passage**

The following Senate Concurrent Resolutions on third reading and final passage were taken up and acted upon as follows:

**SENATE CONCURRENT RESOLUTION NO. 14—**

BY SENATOR HOYT

**A CONCURRENT RESOLUTION**

To suspend for the 2002-2003 school year not to exceed June 30, 2003, certain provisions of R.S. 17:154.1(A)(1) and (B), relative to the minimum requirements of instructional time and the length of the school year, to suspend such provisions only for those city, parish or other public local school systems in which schools were closed for ten or more instructional days due to hurricanes Isadore and Lili.

The resolution was read by title. Senator Hoyt moved to adopt the Senate Concurrent Resolution.

**ROLL CALL**

The roll was called with the following result:

YEAS

Adley  
Bajoie  
Barham  
Boissiere  
Chaisson  
Cravins  
Dardenne  
Dean  
Dupre  
Ellington  
Total—30

Fontenot  
Gautreaux  
Hines  
Hollis  
Hoyt  
Irons  
Johnson  
Jones, CD  
Lambert  
Malone

Marionneaux  
McPherson  
Michot  
Mount  
Romero  
Smith  
Tarver  
Theunissen  
Thomas  
Ullo

NAYS

Lentini  
Total—1

ABSENT

Mr. President  
Bean  
Cain  
Total—8

Fields  
Heitmeier  
Holden

Jones, B  
Schedler

The Chair declared the Senate had adopted the Senate Concurrent Resolution and ordered it sent to the House.

**Senate Bills and Joint Resolutions on  
Third Reading  
and Final Passage**

The following Senate Bills and Joint Resolutions on third reading and final passage were taken up and acted upon as follows:

April 23, 2003

## SENATE BILL NO. 17—

BY SENATORS DUPRE AND GAUTREAUX AND REPRESENTATIVE DARTEZ

### AN ACT

To amend and reenact R.S. 56:1(C), and to enact R.S. 56:1(I), relative to the Louisiana Wildlife and Fisheries Commission; to provide nominations to the governor for appointment to the commission; to provide for the election of the chairman and vice-chairman of the commission; and to provide for related matters.

On motion of Senator Dupre, the bill was read by title and returned to the Calendar, subject to call.

### Senator Lambert in the Chair

## SENATE BILL NO. 131—

BY SENATOR HAINKEL

### AN ACT

To amend and reenact R.S. 11:1386, relative to the judges' noncontributory plan; to provide with respect to cost-of-living adjustments for judges and widows of such judges who did not opt to become members of the Louisiana State Employees' Retirement System; to provide the procedures for determining the amount of such adjustments; to provide an effective date; and to provide for related matters.

The bill was read by title. Senator Hainkel moved the final passage of the bill.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. President	Gautreaux	Marionneaux
Bajoie	Heitmeier	McPherson
Barham	Hines	Michot
Boissiere	Hollis	Mount
Cain	Irons	Romero
Chaisson	Johnson	Schedler
Cravins	Jones, CD	Smith
Dupre	Lambert	Tarver
Ellington	Lentini	Thomas
Fontenot	Malone	Ullo
Total—30		

#### NAYS

Adley	Hoyt
Dean	Jones, B
Total—4	

#### ABSENT

Bean	Fields	Theunissen
Dardenne	Holden	
Total—5		

The Chair declared the bill was passed. The title was read and adopted. Senator Hainkel moved to reconsider the vote by which the bill was passed and laid the motion on the table.

## SENATE BILL NO. 223—

BY SENATOR BARHAM AND REPRESENTATIVE DIEZ

### A JOINT RESOLUTION

Proposing to amend Article VII, Section 27(B) of the Constitution of Louisiana; to provide for certain TIMED project descriptions; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

The bill was read by title. Senator Barham moved the final passage of the bill.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. President	Fontenot	Malone
Adley	Gautreaux	Marionneaux
Bajoie	Heitmeier	McPherson
Barham	Hines	Michot
Boissiere	Hollis	Mount
Cain	Hoyt	Romero
Chaisson	Irons	Schedler
Cravins	Johnson	Smith
Dardenne	Jones, B	Tarver
Dean	Jones, CD	Theunissen
Dupre	Lambert	Thomas
Ellington	Lentini	Ullo
Total—36		

#### NAYS

Total—0

#### ABSENT

Bean	Fields	Holden
Total—3		

The Chair declared the bill was passed. The title was read and adopted. Senator Barham moved to reconsider the vote by which the bill was passed and laid the motion on the table.

## SENATE BILL NO. 235—

BY SENATOR DUPRE

### AN ACT

To amend and reenact R.S. 17:1186(B), relative to leaves of absence for teachers; to increase the maximum duration of leave without pay to be granted to certain employees; and to provide for related matters.

The bill was read by title. Senator Dupre moved the final passage of the bill.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. President	Ellington	Lambert
Adley	Fontenot	McPherson
Bajoie	Gautreaux	Michot
Barham	Heitmeier	Mount
Boissiere	Hines	Romero
Cain	Hollis	Schedler
Chaisson	Hoyt	Smith
Cravins	Irons	Tarver
Dardenne	Johnson	Theunissen
Dean	Jones, B	Thomas
Dupre	Jones, CD	Ullo
Total—33		

#### NAYS

Lentini	Malone	Marionneaux
Total—3		

#### ABSENT

Bean	Fields	Holden
Total—3		

The Chair declared the bill was passed. The title was read and adopted. Senator Dupre moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**SENATE BILL NO. 241—**

BY SENATOR MARIONNEAUX

**AN ACT**

To amend and reenact R.S. 11:542(C)(4)(a), relative to Louisiana State Employees' Retirement System; to provide a cost-of-living adjustment for members who have earned thirty years of service credit and who retire prior to age fifty-five; to provide for an effective date; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and returned to the Calendar, subject to call.

**Mr. President in the Chair****SENATE BILL NO. 338—**

BY SENATOR CRAVINS

**AN ACT**

To repeal Act No. 35 of the Second Legislature of the Second Session of 1855, Act No. 225 of the Third Legislature of the Second Session of 1857, and Act No. 52 of the Second Session of the Second Legislature of 1867, relative to the town of Grand Coteau; to abolish the legislative charter of the town; to provide that the town shall be subject to the provisions of the Lawrason Act; and to provide for related matters.

The bill was read by title. Senator Cravins moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Fontenot	Malone
Adley	Gautreaux	McPherson
Bajoie	Heitmeier	Michot
Barham	Hines	Mount
Boissiere	Hollis	Romero
Cain	Hoyt	Schedler
Chaisson	Irons	Smith
Cravins	Johnson	Tarver
Dardenne	Jones, B	Theunissen
Dean	Jones, CD	Thomas
Dupre	Lambert	Ullo
Ellington	Lentini	
Total—35		

**NAYS**

Total—0

**ABSENT**

Bean	Holden
Fields	Marionneaux
Total—4	

The Chair declared the bill was passed. The title was read and adopted. Senator Cravins moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**SENATE BILL NO. 367—**

BY SENATOR SCHEDLER

**AN ACT**

To enact R.S. 32:429.3, relative to the office of motor vehicles; to require the office of motor vehicles to collect and report certain statistical information; and to provide for related matters.

The bill was read by title. Senator Schedler moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Fontenot	McPherson
Adley	Gautreaux	Michot
Bajoie	Heitmeier	Mount
Barham	Hines	Romero
Boissiere	Hollis	Schedler
Cain	Hoyt	Smith
Chaisson	Irons	Tarver
Cravins	Johnson	Theunissen
Dardenne	Jones, B	Thomas
Dupre	Lambert	Ullo
Ellington	Malone	
Total—32		

**NAYS**

Dean	Jones, CD	Lentini
Total—3		

**ABSENT**

Bean	Holden
Fields	Marionneaux
Total—4	

The Chair declared the bill was passed. The title was read and adopted. Senator Schedler moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**SENATE BILL NO. 390—**

BY SENATOR SCHEDLER

**AN ACT**

To enact R.S. 11:1751(E), relative to the Municipal Employees' Retirement System; to provide for membership in the Municipal Employees' Retirement System of elected officials with a term limitation of less than ten years; to provide for an effective date; and to provide for related matters.

The bill was read by title. Senator Schedler moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Gautreaux	McPherson
Adley	Heitmeier	Michot
Bajoie	Hines	Mount
Barham	Hollis	Romero
Boissiere	Hoyt	Schedler
Cain	Irons	Smith
Chaisson	Johnson	Tarver
Dardenne	Jones, CD	Theunissen
Dean	Lambert	Thomas
Ellington	Lentini	Ullo
Fontenot	Malone	
Total—32		

**NAYS**

Total—0

**ABSENT**

Bean	Fields	Marionneaux
------	--------	-------------

Cravins  
Dupre  
Total—7

Holden  
Jones, B

The Chair declared the bill was passed. The title was read and adopted. Senator Schedler moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**SENATE BILL NO. 431—**

BY SENATOR BAJOIE AND REPRESENTATIVE PEYCHAUD  
AN ACT

To amend and reenact R.S. 9:5633(A)(1), (2)(a), (3), (4), (6), (7), (8)(a), (9), and (10), (D), (E), (F), and (G) and to enact R.S. 9:5633(I), (J) and (K), relative to the acquisition of blighted property in certain municipalities; to provide for the ownership of an immovable which has been declared blighted; to provide for the improvement of the property by the possessor; to provide for the costs incurred by the possessor; to provide for privileges and security interests; to provide for the enforcement of privileges and security interests; to provide for filing and cancellation of certain documents with the clerk of court and the recorder of mortgages; to provide for the acquisition of blighted property by a prescriptive period of less than three years; to provide for the failure to comply with certain requisites; to provide for penalties for filing certain forged documents or false statements; and to provide for related matters.

**Floor Amendments Sent Up**

Senator Boissiere sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Boissiere to Engrossed Senate Bill No. 431 by Senator Bajoie

**AMENDMENT NO. 1**

On page 5, line 19, after "E." and before "In" insert "(1)"

**AMENDMENT NO. 2**

On page 6, line 8, after "**Section.**" delete the remainder of the line in its' entirety

**AMENDMENT NO. 3**

On page 6, between lines 8 and 9, insert "(2) In addition to the foregoing reimbursements, all monies"

**AMENDMENT NO. 4**

On page 6, line 11, after "2924(C)." delete the remainder of the line in its' entirety

**AMENDMENT NO. 5**

On page 6, between lines 11 and 12, insert "(3) To prove the cost of repairs, rehabilitation,"

**AMENDMENT NO. 6**

On page 6, line 16, delete "**, the total cost of materials used in"**

**AMENDMENT NO. 7**

On page 6, delete line 17 in its' entirety

**AMENDMENT NO. 8**

On page 6, at the beginning of line 18, delete "**possessor**"

**AMENDMENT NO. 9**

On page 6, line 20, delete "**Provided that any such affidavit shall**"

**AMENDMENT NO. 10**

On page 6, delete lines 21 and 22 in their entirety

**AMENDMENT NO. 11**

On page 6, line 23, change "**two hundred seventy days after taking possession.**" to "(4)"

**AMENDMENT NO. 12**

On page 7, between lines 1 and 2, insert "**(5) An affidavit by the possessor shall be filed in the mortgage records in the parish in which the immovable is located upon completion of the improvements, demolition or cleanup of the immovable, but no later than two hundred seventy days after taking possession, which affidavit shall itemize the expenses and monies advanced by the possessor to date, and to which shall be annexed any affidavits establishing the value of work done to date on the property by the possessor or any persons acting on the possessor's behalf without compensation.**"

On motion of Senator Boissiere, the amendments were adopted.

The bill was read by title. Senator Bajoie moved final passage of the amended bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Adeley	Gautreaux	McPherson
Bajoie	Heitmeier	Michot
Barham	Hines	Mount
Boissiere	Hollis	Romero
Cain	Hoyt	Schedler
Chaisson	Irons	Smith
Dardenne	Johnson	Tarver
Dean	Jones, B	Theunissen
Dupre	Jones, CD	Thomas
Ellington	Lambert	Ullo
Fields	Lentini	
Fontenot	Malone	
Total—34		

**NAYS**

Total—0

**ABSENT**

Mr. President	Cravins	Marionneaux
Bean	Holden	
Total—5		

The Chair declared the amended bill was passed. The title was read and adopted. Senator Bajoie moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**SENATE BILL NO. 574—**

BY SENATORS DARDENNE AND SCHEDLER  
AN ACT

To amend and reenact R.S. 46:231(5), 231(6), 231(8), and 231.1(A) and (B), 231.3(A) and (B), 231.5(A), 231.6(A)(2), and (C)(1) and (4), 231.7(A), (B), (C), and (D), 231.8(A) and (B), 231.10, 231.11, 460.4(A), 460.5(B)(3)(b)(iii), 460.8(A), and 460.9(A), and to enact R.S. 46:230.1, 231(12), 231(13), and 231(14), and 231.6(D) and (E), and to repeal R.S. 46:231.12, and 460.4(B); relative to aid to needy families; to provide for legislative intent; to provide for definitions; to provide for certain required agreements; to provide for termination of eligibility; to provide for responsibilities of the Department of Social Services; to provide for responsibilities of the Louisiana Workforce Commission; to provide for evaluations and screenings; to provide for transition of programs; and to provide for related matters.

**Floor Amendments Sent Up**

Senator Lambert sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Lambert on behalf of the Legislative Bureau to Engrossed Senate Bill No. 574 by Senator Dardenne

AMENDMENT NO. 1

On page 2, line 17, change "diligence" to "diligent"

AMENDMENT NO. 2

On page 2, line 19, following "training" insert a comma ","

AMENDMENT NO. 3

On page 3, line 16, following "activities" insert a comma ","

AMENDMENT NO. 4

On page 4, line 12, following "training" insert a comma ","

AMENDMENT NO. 5

On page 6, line 13, following "attainment" insert a comma ","

AMENDMENT NO. 6

On page 6, line 23, following "behavior" insert a comma ","

AMENDMENT NO. 7

On page 10, line 6, following "Program," insert "or"

AMENDMENT NO. 8

On page 11, at the end of line 7, change "where" to "when"

AMENDMENT NO. 9

On page 12, line 12, following "needs" insert a comma ","

AMENDMENT NO. 10

On page 12, line 16, following "children" insert a comma ","

AMENDMENT NO. 11

On page 14, line 21, following "commerce" insert a comma ","

AMENDMENT NO. 12

On page 15, line 26, following "illness" insert a comma ","

AMENDMENT NO. 13

On page 16, line 2, following "illness" insert a comma ","

AMENDMENT NO. 14

On page 18, line 12, following "responsibilities" insert a comma ","

AMENDMENT NO. 15

On page 18, line 15, following "information" insert a comma ","

AMENDMENT NO. 16

On page 18, line 18, following "barriers" insert a comma ","

AMENDMENT NO. 17

On page 19, line 9, following "needs" insert a comma ","

AMENDMENT NO. 18

On page 19, line 13, following "children" insert a comma ","

AMENDMENT NO. 19

On page 20, line 1, following "screening" insert a comma ","

AMENDMENT NO. 20

On page 20, line 16, following "credit" insert a comma ","

AMENDMENT NO. 21

On page 21, line 6, following "employment" insert a comma ","

AMENDMENT NO. 22

On page 21, line 23, following "credit" insert a comma ","

On motion of Senator Lambert, the amendments were adopted.

**Floor Amendments Sent Up**

Senator Dardenne sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Dardenne to Engrossed Senate Bill No. 574 by Senator Dardenne

AMENDMENT NO. 1

On page 11, line 23, between "activities" and the period ".", insert "requirements"

AMENDMENT NO. 2

On page 12, line 1, between "self-sufficiency" and the period "." insert "requirement"

AMENDMENT NO. 3

On page 12, line 4, between "law" and the period "." insert "requirement"

AMENDMENT NO. 4

On page 12, line 6, change "availability of support services" to "use of available support services"

On motion of Senator Dardenne, the amendments were adopted.

**Floor Amendments Sent Up**

Senator Dardenne sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Dardenne to Engrossed Senate Bill No. 574 by Senators Dardenne and Schedler

AMENDMENT NO. 1

On page 1, line 3, delete "and (C)(1)" and insert in lieu thereof "(B), and (C)(1)"

AMENDMENT NO. 2

On page 2, line 1, delete "and (C)(1)" and insert in lieu thereof "(B), and (C)(1)"

AMENDMENT NO. 3

On page 2, at the beginning of line 8, insert "A."

AMENDMENT NO. 4

On page 2, between lines 20 and 21, insert the following:

"B. Not later than March 2005, the Department of Social Services shall report on the status of implementation of these provisions. The report shall be presented to the Performance Subcommittee of the Joint Legislative Committee on the Budget at the same time as the mid-year performance progress report as provided in R.S. 39:87.3(A)(2)."

AMENDMENT NO. 5

On page 8, delete line 14, and insert in thereof the following:

"B. The provisions of this Section shall not apply to ~~an~~ **a permanently** incapacitated or disabled individual, **as documented,** or to such an individual in the recipient's household."

### AMENDMENT NO. 6

On page 11, line 10, after "literacy," and before "through" insert "and community-based organizations,"

### AMENDMENT NO. 7

On page 16, delete lines 9 through 13 in their entirety and insert in lieu thereof the following:

"(3) Status as a victim of domestic violence. Such status shall be based on evidence presented to the department which may include, but not be limited to, information from law enforcement agencies or domestic violence providers. This exception shall only be granted if a participant develops a plan to address the domestic violence situation and such plan shall be incorporated in the participant's Family"

### AMENDMENT NO. 8

On page 25, delete line 8 in its entirety and insert in lieu thereof "shall develop"

### AMENDMENT NO. 9

On page 25, lines 9 and 11, delete "safety"

On motion of Senator Dardenne, the amendments were adopted.

The bill was read by title. Senator Dardenne moved final passage of the amended bill.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. President	Fontenot	Malone
Adley	Gautreaux	McPherson
Bajoie	Heitmeier	Michot
Barham	Hines	Mount
Boissiere	Hollis	Romero
Cain	Hoyt	Schedler
Chaisson	Irons	Smith
Cravins	Johnson	Theunissen
Dardenne	Jones, B	Thomas
Dean	Jones, CD	Ullo
Dupre	Lambert	
Ellington	Lentini	
Total—34		

#### NAYS

Total—0

#### ABSENT

Bean	Holden	Tarver
Fields	Marionneaux	
Total—5		

The Chair declared the amended bill was passed. The title was read and adopted. Senator Dardenne moved to reconsider the vote by which the bill was passed and laid the motion on the table.

### SENATE BILL NO. 621—

BY SENATOR MICHOT

#### AN ACT

To amend and reenact R.S. 47:463.94(C), relative to special prestige license plates; to provide for the royalty fee for the Camp Woodmen license plate; and to provide for related matters.

The bill was read by title. Senator Michot moved the final passage of the bill.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. President	Gautreaux	McPherson
Adley	Heitmeier	Michot
Bajoie	Hines	Mount
Barham	Hollis	Romero
Boissiere	Hoyt	Schedler
Cain	Irons	Smith
Chaisson	Johnson	Tarver
Dardenne	Jones, B	Theunissen
Dean	Jones, CD	Thomas
Dupre	Lambert	Ullo
Ellington	Lentini	
Fontenot	Malone	
Total—34		

#### NAYS

Total—0

#### ABSENT

Bean	Fields	Marionneaux
Cravins	Holden	
Total—5		

The Chair declared the bill was passed. The title was read and adopted. Senator Michot moved to reconsider the vote by which the bill was passed and laid the motion on the table.

### SENATE BILL NO. 631—

BY SENATOR HOYT

#### AN ACT

To enact Chapter 3-E of Title 8 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 8:141 through 144 relative to cemetery districts; to provide for the creation of a cemetery district in St. Landry Parish; to provide for governing boards of the districts and their powers and duties; to provide for taxation; and to provide for related matters.

### Floor Amendments Sent Up

Senator Lambert sent up floor amendments which were read.

### SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lambert on behalf of the Legislative Bureau to Engrossed Senate Bill No. 631 by Senator Hoyt

### AMENDMENT NO. 1

On page 6, line 1, following "years" and before "R.S." change "as defined in" to ", as authorized by"

### AMENDMENT NO. 2

On page 6, line 6, following "with" and before "sheriff" insert "the"

On motion of Senator Lambert, the amendments were adopted.

The bill was read by title. Senator Hoyt moved final passage of the amended bill.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. President	Gautreaux	McPherson
---------------	-----------	-----------



Adley  
Bajoie  
Barham  
Boissiere  
Cain  
Chaisson  
Cravins  
Dardenne  
Dupre  
Ellington  
Fontenot  
Total—34

Heitmeier  
Hines  
Hollis  
Hoyt  
Irons  
Johnson  
Jones, B  
Jones, CD  
Lambert  
Lentini  
Malone

Michot  
Mount  
Romero  
Schedler  
Smith  
Tarver  
Theunissen  
Thomas  
Ullo

NAYS

Total—0

ABSENT

Bean  
Dean  
Total—5

Fields  
Holden

Marionneaux

The Chair declared the amended bill was passed. The title was read and adopted. Senator Hoyt moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**SENATE BILL NO. 636—**  
BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 11:153(A), relative to the Louisiana State Employees' Retirement System; to authorize the receipt of service credit for any legislator serving on January 1, 1997, who is a military retiree and a member of the system; to provide for an effective date; and to provide for related matters.

The bill was read by title. Senator Heitmeier moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President  
Adley  
Bajoie  
Barham  
Boissiere  
Cain  
Chaisson  
Cravins  
Dardenne  
Dupre  
Ellington  
Fontenot  
Total—34

Gautreaux  
Heitmeier  
Hines  
Hollis  
Hoyt  
Irons  
Johnson  
Jones, B  
Jones, CD  
Lambert  
Lentini  
Malone

McPherson  
Michot  
Mount  
Romero  
Schedler  
Smith  
Tarver  
Theunissen  
Thomas  
Ullo

NAYS

Total—0

ABSENT

Bean  
Dean  
Total—5

Fields  
Holden

Marionneaux

The Chair declared the bill was passed. The title was read and adopted. Senator Heitmeier moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**SENATE BILL NO. 665—**  
BY SENATOR HEITMEIER

AN ACT

To designate certain portions of Louisiana Highway 23 as the Mel Ott Parkway; and to provide for related matters.

The bill was read by title. Senator Heitmeier moved final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President  
Adley  
Bajoie  
Barham  
Boissiere  
Cain  
Chaisson  
Cravins  
Dardenne  
Dupre  
Ellington  
Total—33

Gautreaux  
Heitmeier  
Hines  
Hollis  
Hoyt  
Irons  
Johnson  
Jones, B  
Jones, CD  
Lambert  
Lentini

Malone  
McPherson  
Michot  
Mount  
Romero  
Schedler  
Smith  
Tarver  
Theunissen  
Thomas  
Ullo

NAYS

Total—0

ABSENT

Bean  
Dean  
Total—6

Fields  
Fontenot

Holden  
Marionneaux

The Chair declared the bill was passed. The title was read and adopted. Senator Heitmeier moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**SENATE BILL NO. 715—**  
BY SENATOR B. JONES

AN ACT

To enact R.S. 56:410.8, relative to Lake D'Arbonne; to regulate the use of trotlines on Lake D'Arbonne; and to provide for related matters.

The bill was read by title. Senator B. Jones moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President  
Adley  
Bajoie  
Barham  
Boissiere  
Cain  
Chaisson  
Dardenne  
Dean  
Dupre  
Ellington  
Fields  
Total—34

Fontenot  
Gautreaux  
Heitmeier  
Hines  
Hollis  
Hoyt  
Irons  
Johnson  
Jones, B  
Jones, CD  
Lambert  
Lentini

McPherson  
Michot  
Mount  
Romero  
Schedler  
Smith  
Tarver  
Theunissen  
Thomas  
Ullo

NAYS

Total—0

ABSENT

Bean	Holden	Marionneaux
Cravins	Malone	
Total—5		

The Chair declared the bill was passed. The title was read and adopted. Senator B. Jones moved to reconsider the vote by which the bill was passed and laid the motion on the table.

### SENATE BILL NO. 716—

BY SENATOR B. JONES

AN ACT

To enact R.S. 56:410.8, relative to Lake D'Arbonne; to regulate the use of yo-yos and trigger devices on Lake D'Arbonne; and to provide for related matters.

The bill was read by title. Senator B. Jones moved the final passage of the bill.

### ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	McPherson
Adley	Fontenot	Michot
Bajoie	Gautreaux	Mount
Barham	Heitmeier	Romero
Boissiere	Hines	Schedler
Cain	Hollis	Smith
Chaisson	Hoyt	Tarver
Cravins	Irons	Theunissen
Dardenne	Jones, B	Thomas
Dean	Jones, CD	Ullo
Dupre	Lambert	
Ellington	Lentini	
Total—34		

NAYS

Total—0

ABSENT

Bean	Johnson	Marionneaux
Holden	Malone	
Total—5		

The Chair declared the bill was passed. The title was read and adopted. Senator B. Jones moved to reconsider the vote by which the bill was passed and laid the motion on the table.

### SENATE BILL NO. 791—

BY SENATOR BARHAM

AN ACT

To enact R.S. 47:301(16)(l), relative to political subdivision sales tax; to provide that tangible personal property shall not include other constructions permanently attached to the land; and to provide for related matters.

### Floor Amendments Sent Up

Senator Barham sent up floor amendments which were read.

### SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Barham to Engrossed Senate Bill No. 791 by Senator Barham

#### AMENDMENT NO. 1

On page 2, delete lines 7 through 10 in their entirety and insert:

"Section 2. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval."

On motion of Senator Barham, the amendments were adopted.

The bill, which was designated a duplicate of House Bill No. 1658, was read by title. Senator Barham moved final passage of the amended bill.

### ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	Malone
Adley	Fontenot	McPherson
Bajoie	Gautreaux	Michot
Barham	Heitmeier	Mount
Boissiere	Hines	Romero
Cain	Hollis	Schedler
Chaisson	Hoyt	Smith
Cravins	Irons	Tarver
Dardenne	Jones, B	Theunissen
Dean	Jones, CD	Thomas
Dupre	Lambert	Ullo
Ellington	Lentini	
Total—35		

NAYS

Total—0

ABSENT

Bean	Johnson
Holden	Marionneaux
Total—4	

The Chair declared the amended bill was passed. The title was read and adopted. Senator Barham moved to reconsider the vote by which the bill was passed and laid the motion on the table.

### SENATE BILL NO. 800—

BY SENATOR BAJOEIE

AN ACT

To amend and reenact R.S. 33:4720.27, 4720.29(A), 4720.30(A), and 4720.32, relative to post-adjudication donation of abandoned or blighted property; to provide for the redemptive period for post-adjudicated donations of abandoned or blighted property; to provide that after a post-adjudication donation of abandoned or blighted property the tax debtor shall not have a right of redemption; and to provide for related matters.

### Floor Amendments Sent Up

Senator Irons sent up floor amendments which were read.

### SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Irons to Engrossed Senate Bill No. 800 by Senator Bajoie

#### AMENDMENT NO. 1

On page 2 line 7, after "elapsed." insert the following:

"Such acts of donation shall provide that the donation is subject to revocation or dissolution in the event the nonprofit organization fails to renovate such property within two hundred seventy days after the date of the donation, or such longer period of time as may be approved for good cause in writing by the mayor, city council, parish president, parish council, police jury, commission council or city manager of the municipality or parish making the donation, or fails to maintain such property until the sale, transfer or conveyance of the property by such organization."

On motion of Senator Irons, the amendments were adopted.

The bill was read by title. Senator Bajoie moved final passage of the amended bill.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Adley	Fontenot	McPherson
Bajoie	Gautreaux	Michot
Barham	Heitmeier	Mount
Boissiere	Hines	Romero
Cain	Hollis	Schedler
Chaisson	Hoyt	Smith
Cravins	Irons	Tarver
Dardenne	Jones, B	Theunissen
Dean	Jones, CD	Thomas
Dupre	Lambert	Ullo
Ellington	Lentini	
Fields	Malone	
Total—34		

#### NAYS

Total—0

#### ABSENT

Mr. President	Holden	Marionneaux
Bean	Johnson	
Total—5		

The Chair declared the amended bill was passed. The title was read and adopted. Senator Bajoie moved to reconsider the vote by which the bill was passed and laid the motion on the table.

### SENATE BILL NO. 830—

BY SENATOR BAJOIE AND REPRESENTATIVE PEYCHAUD  
AN ACT

To enact Chapter 13-C of Title 33 of the Louisiana Revised Statute of 1950, to be comprised of R.S. 33:4720.40 through 4720.48, relative to municipalities and parishes; to authorize municipalities and parishes to sell an adjudicated vacant lot, by private sale, to an adjoining landowner who has maintained the lot for a minimum of one year; and to provide for related matters.

### Floor Amendments Sent Up

Senator Lambert sent up floor amendments which were read.

### SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lambert on behalf of the Legislative Bureau to Engrossed Senate Bill No. 830 by Senator Bajoie

#### AMENDMENT NO. 1

On page 3, line 19, following "the" and before "verbal" change "process" to "proces"

#### AMENDMENT NO. 2

On page 4, line 2, following "public" and before "and" insert a comma ","

#### AMENDMENT NO. 3

On page 5, line 17, following "Chapter 5" and before "of Title 47" insert "of Subtitle III"

#### AMENDMENT NO. 4

On page 5, line 19, following "assign" and before "or" insert a comma ","

#### AMENDMENT NO. 5

On page 6, line 2, following "mortgages" and before "and" insert a comma ","

On motion of Senator Lambert, the amendments were adopted.

### Floor Amendments Sent Up

Senator Bajoie sent up floor amendments which were read.

### SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Bajoie to Engrossed Senate Bill No. 830 by Senator Bajoie

#### AMENDMENT NO. 1

On page 8, line 24, between "for" and the colon ":" insert "any of the following:

#### AMENDMENT NO. 2

On page 9, line 2, change "or," to a period "."

On motion of Senator Bajoie, the amendments were adopted.

The bill was read by title. Senator Bajoie moved final passage of the amended bill.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Adley	Fields	Malone
Bajoie	Fontenot	McPherson
Barham	Gautreaux	Michot
Boissiere	Heitmeier	Romero
Cain	Hollis	Schedler
Chaisson	Hoyt	Smith
Cravins	Irons	Tarver
Dardenne	Jones, B	Theunissen
Dean	Jones, CD	Thomas
Dupre	Lambert	Ullo
Ellington	Lentini	
Total—32		

#### NAYS

Mr. President  
Total—1

#### ABSENT

Bean	Holden	Marionneaux
Hines	Johnson	Mount
Total—6		

The Chair declared the amended bill was passed. The title was read and adopted. Senator Bajoie moved to reconsider the vote by which the bill was passed and laid the motion on the table.

### SENATE BILL NO. 854— BY SENATOR ELLINGTON

AN ACT

To amend and reenact R.S. 32:364(A), relative to motor vehicles; to provide for certain safety devices on motor vehicles; and to provide for related matters.

The bill was read by title. Senator Ellington moved the final passage of the bill.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. President	Fields	Malone
Adley	Fontenot	McPherson
Bajoie	Gautreaux	Michot
Barham	Heitmeier	Mount
Boissiere	Hines	Romero
Cain	Hollis	Schedler
Chaisson	Hoyt	Smith
Cravins	Irons	Tarver
Dardenne	Jones, B	Theunissen
Dean	Jones, CD	Thomas
Dupre	Lambert	Ullo
Ellington	Lentini	
Total—35		

#### NAYS

Total—0

#### ABSENT

Bean	Johnson
Holden	Marionneaux
Total—4	

The Chair declared the bill was passed. The title was read and adopted. Senator Ellington moved to reconsider the vote by which the bill was passed and laid the motion on the table.

### SENATE BILL NO. 864— BY SENATOR C. JONES

AN ACT

To amend and reenact R.S. 33:2740.51(B), (C), the introductory paragraph of R.S. 33:2740.51(D) and to enact R.S. 33:2740.51(L), relative to the Southside Economic Development District; to provide for operation of the district by a board of commissioners; to provide for the powers, duties, and function of the district; and to provide for related matters.

The bill was read by title. Senator C. Jones moved the final passage of the bill.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Adley	Fontenot	Malone
Bajoie	Gautreaux	McPherson
Barham	Heitmeier	Michot
Boissiere	Hines	Mount
Cain	Hollis	Romero
Chaisson	Hoyt	Schedler
Cravins	Irons	Smith
Dardenne	Johnson	Tarver
Dean	Jones, B	Theunissen
Dupre	Jones, CD	Thomas

Ellington  
Fields  
Total—35

Lambert  
Lentini  
Ullo

#### NAYS

Total—0

#### ABSENT

Mr. President  
Bean  
Total—4

Holden  
Marionneaux

The Chair declared the bill was passed. The title was read and adopted. Senator C. Jones moved to reconsider the vote by which the bill was passed and laid the motion on the table.

### SENATE BILL NO. 892— BY SENATOR MICHOT

AN ACT

To enact Part III of Chapter 6 of Subtitle III of Title 47 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 47:2335.1 through 2335.5, relative to real property sales validation forms; to provide for the design, use and disposition of the forms and information on the forms; to provide for a criminal penalty; and to provide for related matters.

On motion of Senator Michot, the bill was read by title and returned to the Calendar, subject to call.

### SENATE BILL NO. 900— BY SENATOR BOISSIERE

AN ACT

To amend and reenact R.S. 33:2218.4(B), relative to extra compensation paid by the state to police and deputy sheriffs; to grant authority to certain local officials to sign warrants to disburse such funds; and to provide for related matters.

The bill was read by title. Senator Boissiere moved the final passage of the bill.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. President	Fields	Lentini
Adley	Fontenot	Malone
Bajoie	Gautreaux	McPherson
Barham	Heitmeier	Michot
Boissiere	Hines	Mount
Cain	Hollis	Romero
Chaisson	Hoyt	Schedler
Cravins	Irons	Smith
Dardenne	Johnson	Tarver
Dean	Jones, B	Theunissen
Dupre	Jones, CD	Thomas
Ellington	Lambert	Ullo
Total—36		

#### NAYS

Total—0

#### ABSENT

Bean  
Total—3

Holden  
Marionneaux

The Chair declared the bill was passed. The title was read and adopted. Senator Boissiere moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**SENATE BILL NO. 902—**BY SENATOR BAJOE AND REPRESENTATIVE PEYCHAUD  
AN ACT

To amend and reenact R.S. 33:4720.15, 4720.16(A), 4720.17(A), and 4720.18, relative to post-adjudication sales of abandoned or blighted property; to provide for public or private sale of abandoned property; to provide that the redemptive period stated in the statutes conforms with constitutional provisions; to provide that after a post-adjudication sale of abandoned or blighted property the tax debtor shall not have a right of redemption; and to provide for related matters.

**Floor Amendments Sent Up**

Senator Lambert sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Lambert on behalf of the Legislative Bureau to Engrossed Senate Bill No. 902 by Senator Bajoie

**AMENDMENT NO. 1**

On page 2, between lines 23 and 24, insert asterisks " \* \* \* "

**AMENDMENT NO. 2**

On page 3, lines 17 and 19, change "tax-debtor" to "tax debtor"

On motion of Senator Lambert, the amendments were adopted.

The bill was read by title. Senator Bajoie moved final passage of the amended bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Fontenot	Malone
Adley	Gautreaux	McPherson
Bajoie	Heitmeier	Michot
Barham	Hines	Mount
Boissiere	Hollis	Romero
Cain	Hoyt	Schedler
Chaisson	Irons	Smith
Dardenne	Johnson	Tarver
Dean	Jones, B	Theunissen
Dupre	Jones, CD	Thomas
Ellington	Lambert	Ullo
Fields	Lentini	
Total—35		

**NAYS**

Total—0

**ABSENT**

Bean	Holden
Cravins	Marionneaux
Total—4	

The Chair declared the amended bill was passed. The title was read and adopted. Senator Bajoie moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**SENATE BILL NO. 953—**BY SENATORS DARDENNE, FIELDS AND FONTENOT  
AN ACT

To amend and reenact R.S. 38:301(A)(3), relative to the authority of levee boards; to authorize the construction of bicycle paths and

walkways along the main line levees of the Mississippi River in certain parishes; and to provide for related matters.

The bill was read by title. Senator Dardenne moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Gautreaux	McPherson
Adley	Heitmeier	Michot
Barham	Hines	Mount
Boissiere	Hollis	Romero
Cain	Hoyt	Schedler
Chaisson	Irons	Smith
Dardenne	Johnson	Tarver
Dean	Jones, B	Theunissen
Dupre	Jones, CD	Thomas
Ellington	Lambert	Ullo
Fields	Lentini	
Fontenot	Malone	
Total—34		

**NAYS**

Total—0

**ABSENT**

Bajoie	Cravins	Marionneaux
Bean	Holden	
Total—5		

The Chair declared the bill was passed. The title was read and adopted. Senator Dardenne moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**SENATE BILL NO. 972—**

BY SENATOR BOISSIERE

AN ACT

To amend and reenact R.S. 33:1243(B)(2), relative to maximum penalties; to provide with respect to the maximum penalties that can be imposed by ordinance in certain parishes; to provide with respect to dumping of trash and other substances; to provide with respect to such substances; to provide with respect to places where dumping may be so penalized; and to provide for related matters.

**Floor Amendments Sent Up**

Senator Boissiere sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Boissiere to Engrossed Senate Bill No. 972 by Senator Boissiere

**AMENDMENT NO. 1**

On page 2, line 16, after "activity" delete "occurring in the course of" and insert "during the"

**AMENDMENT NO. 2**

On page 2, line 16, after "servicing" insert "of"

On motion of Senator Boissiere, the amendments were adopted.

The bill was read by title. Senator Boissiere moved final passage of the amended bill.

## ROLL CALL

The roll was called with the following result:

### YEAS

Mr. President	Gautreaux	McPherson
Adley	Heitmeier	Michot
Barham	Hines	Mount
Boissiere	Hollis	Romero
Cain	Hoyt	Schedler
Chaisson	Irons	Smith
Dardenne	Johnson	Tarver
Dean	Jones, B	Theunissen
Dupre	Jones, CD	Thomas
Ellington	Lambert	Ullo
Fields	Lentini	
Fontenot	Malone	
Total—34		

### NAYS

Total—0

### ABSENT

Bajoie	Cravins	Marionneaux
Bean	Holden	
Total—5		

The Chair declared the amended bill was passed. The title was read and adopted. Senator Boissiere moved to reconsider the vote by which the bill was passed and laid the motion on the table.

## SENATE BILL NO. 988—

BY SENATORS MOUNT AND CAIN AND REPRESENTATIVE JOHNS  
AN ACT

To designate a certain portion of Louisiana Highway 27 in Calcasieu Parish as the Horace Lynn Jones Memorial Highway; and to provide for related matters.

The bill was read by title. Senator Mount moved the final passage of the bill.

## ROLL CALL

The roll was called with the following result:

### YEAS

Mr. President	Fontenot	Lentini
Adley	Gautreaux	Malone
Barham	Heitmeier	McPherson
Boissiere	Hines	Michot
Cain	Hollis	Mount
Chaisson	Hoyt	Romero
Dardenne	Irons	Schedler
Dean	Johnson	Smith
Dupre	Jones, B	Theunissen
Ellington	Jones, CD	Thomas
Fields	Lambert	Ullo
Total—33		

### NAYS

Total—0

### ABSENT

Bajoie	Cravins	Marionneaux
Bean	Holden	Tarver
Total—6		

The Chair declared the bill was passed. The title was read and adopted. Senator Mount moved to reconsider the vote by which the bill was passed and laid the motion on the table.

## SENATE BILL NO. 26—

BY SENATOR THEUNISSEN

### AN ACT

To amend and reenact R.S. 29:253(A)(1)(b) and (2), relative to the Veterans Affairs Commission; to provide for the nomination, appointments, and terms of office of the members thereof; and to provide for related matters.

## Floor Amendments Sent Up

Senator Lambert sent up floor amendments which were read.

## SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lambert on behalf of the Legislative Bureau to Engrossed Senate Bill No. 26 by Senator Theunissen

## AMENDMENT NO. 1

On page 2, between lines 18 and 19, insert asterisks " \* \* \* "

On motion of Senator Lambert, the amendments were adopted.

The bill was read by title. Senator Theunissen moved final passage of the amended bill.

## ROLL CALL

The roll was called with the following result:

### YEAS

Mr. President	Fontenot	Malone
Adley	Gautreaux	McPherson
Barham	Heitmeier	Michot
Boissiere	Hines	Mount
Cain	Hollis	Romero
Chaisson	Hoyt	Schedler
Cravins	Irons	Smith
Dardenne	Johnson	Tarver
Dean	Jones, B	Theunissen
Dupre	Jones, CD	Thomas
Ellington	Lambert	Ullo
Fields	Lentini	
Total—35		

### NAYS

Total—0

### ABSENT

Bajoie	Holden
Bean	Marionneaux
Total—4	

The Chair declared the amended bill was passed. The title was read and adopted. Senator Theunissen moved to reconsider the vote by which the bill was passed and laid the motion on the table.

## SENATE BILL NO. 32—

BY SENATOR DUPRE

### AN ACT

To enact R.S. 38:291(U)(2)(d), relative to the Terrebonne Levee and Conservation District; to provide for the membership of the board of commissioners; and to provide for related matters.

The bill was read by title. Senator Dupre moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Fontenot	Lentini
Adley	Gautreaux	Malone
Barham	Heitmeier	Michot
Cain	Hines	Mount
Chaisson	Hollis	Romero
Cravins	Hoyt	Schedler
Dardenne	Irons	Smith
Dean	Johnson	Tarver
Dupre	Jones, B	Theunissen
Ellington	Jones, CD	Thomas
Fields	Lambert	Ullo
Total—33		

**NAYS**

Total—0

**ABSENT**

Bajoie	Boissiere	Marionneaux
Bean	Holden	McPherson
Total—6		

The Chair declared the bill was passed. The title was read and adopted. Senator Dupre moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**SENATE BILL NO. 33—**  
BY SENATOR DUPRE**AN ACT**

To amend and reenact R.S. 38:291(P)(2) and 304(B) and to enact R.S. 38:291(P)(4), relative to the South Lafourche Levee District; to provide for membership of the board of commissioners; and to provide for related matters.

**Floor Amendments Sent Up**

Senator Dupre sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Dupre to Engrossed Senate Bill No. 33 by Senator Dupre

**AMENDMENT NO. 1**

On page, 4, line 4, delete "**304.1.**"

On motion of Senator Dupre, the amendments were adopted.

The bill was read by title. Senator Dupre moved final passage of the amended bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Fontenot	Malone
Adley	Gautreaux	McPherson
Bajoie	Heitmeier	Michot
Barham	Hines	Mount
Boissiere	Hollis	Romero
Cain	Hoyt	Schedler
Chaisson	Irons	Smith

Cravins  
Dardenne  
Dupre  
Ellington  
Fields  
Total—34

Johnson  
Jones, B  
Jones, CD  
Lambert  
Lentini

Tarver  
Thomas  
Ullo

**NAYS**

Dean  
Total—1

**ABSENT**

Bean  
Holden  
Total—4

Marionneaux  
Theunissen

The Chair declared the amended bill was passed. The title was read and adopted. Senator Dupre moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**SENATE BILL NO. 34—**  
BY SENATOR DUPRE**AN ACT**

To amend and reenact R.S. 38:291(T)(2) and 304(B) and to enact R.S. 38:291(T)(4), relative to the North Lafourche Conservation, Levee and Drainage District; to provide for membership of the board of commissioners; and to provide for related matters.

**Floor Amendments Sent Up**

Senator Dupre sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Dupre to Engrossed Senate Bill No. 34 by Senator Dupre

**AMENDMENT NO. 1**

On page, 3, line 21, delete "**304.1.**"

On motion of Senator Dupre, the amendments were adopted.

The bill was read by title. Senator Dupre moved final passage of the amended bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President  
Adley  
Bajoie  
Barham  
Boissiere  
Cain  
Chaisson  
Cravins  
Dardenne  
Dupre  
Ellington  
Fields  
Total—34

Fontenot  
Gautreaux  
Heitmeier  
Hines  
Hollis  
Hoyt  
Irons  
Johnson  
Jones, B  
Jones, CD  
Lambert  
Lentini

Malone  
McPherson  
Michot  
Mount  
Romero  
Schedler  
Smith  
Tarver  
Thomas  
Ullo

**NAYS**

Dean  
Total—1

**ABSENT**

Bean  
Holden  
Total—4

Marionneaux  
Theunissen

The Chair declared the amended bill was passed. The title was read and adopted. Senator Dupre moved to reconsider the vote by which the bill was passed and laid the motion on the table.

### SENATE BILL NO. 53— BY SENATOR FIELDS

#### AN ACT

To amend and reenact R.S. 32:866(A)(3), relative to compulsory motor vehicle liability; to provide an exception to the limitation of recoverable damages; and to provide for related matters.

The bill was read by title. Senator Fields moved the final passage of the bill.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Adley  
Bajoie  
Barham  
Boissiere  
Cain  
Chaisson  
Cravins  
Dardenne  
Dean  
Dupre  
Ellington  
Total—33

Fields  
Fontenot  
Gautreaux  
Heitmeier  
Hines  
Hoyt  
Irons  
Johnson  
Jones, B  
Jones, CD  
Lambert

Lentini  
Malone  
Michot  
Mount  
Romero  
Schedler  
Smith  
Tarver  
Theunissen  
Thomas  
Ullo

#### NAYS

Mr. President  
Total—1

#### ABSENT

Bean  
Holden  
Total—5

Hollis  
Marionneaux

McPherson

The Chair declared the bill was passed. The title was read and adopted. Senator Fields moved to reconsider the vote by which the bill was passed and laid the motion on the table.

### Personal Privilege

Senator Malone asked for and obtained the floor of the Senate on a point of personal privilege, and stated he had voted in error on Senate Bill No. 53. He voted yea on the bill and had intended to vote nay. He asked that the Official Journal so state.

### SENATE BILL NO. 55— BY SENATOR FIELDS

#### AN ACT

To enact R.S. 22:636.1(L), relative to automobile insurance; to prohibit insurers from canceling automobile insurance under certain circumstances; and to provide for related matters.

### Floor Amendments Sent Up

Senator Lambert sent up floor amendments which were read.

### SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lambert on behalf of the Legislative Bureau to Engrossed Senate Bill No. 55 by Senator Fields

#### AMENDMENT NO. 1

On page 2, line 3, delete the asterisks " \* \* \* "

On motion of Senator Lambert, the amendments were adopted.

The bill was read by title. Senator Fields moved final passage of the amended bill.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Adley  
Bajoie  
Barham  
Bean  
Boissiere  
Cain  
Chaisson  
Cravins  
Dardenne  
Dupre  
Ellington  
Total—32

Fields  
Fontenot  
Gautreaux  
Heitmeier  
Hines  
Hoyt  
Irons  
Johnson  
Jones, B  
Jones, CD  
Lambert

Lentini  
McPherson  
Michot  
Mount  
Romero  
Schedler  
Tarver  
Theunissen  
Thomas  
Ullo

#### NAYS

Mr. President  
Dean  
Total—4

Malone  
Smith

#### ABSENT

Holden  
Total—3

Hollis

Marionneaux

The Chair declared the amended bill was passed. The title was read and adopted. Senator Fields moved to reconsider the vote by which the bill was passed and laid the motion on the table.

### SENATE BILL NO. 56—

BY SENATORS FIELDS AND BOISSIERE

#### AN ACT

To enact R.S. 22:652.5, relative to automobile insurance; to prohibit use of credit information in determining whether to refuse to issue or renew, to increase premiums, or cancel coverage on a policy; to provide for penalties; and to provide for related matters.

### Floor Amendments Sent Up

Senator Lambert sent up floor amendments which were read.

### SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lambert on behalf of the Legislative Bureau to Engrossed Senate Bill No. 56 by Senator Fields

#### AMENDMENT NO. 1

On page 1, line 14, following "shall" and before "to" change "only apply" to "apply only"

#### AMENDMENT NO. 2

On page 2, lines 1 and 2, change "homeowners'" to "homeowner's"

#### AMENDMENT NO. 3

On page 2, line 17, following "used" and before "or" insert a comma "," and after "calculated" and before "in" insert a comma ","



AMENDMENT NO. 4

On page 4, line 22, following "to" and before "insurer" insert "the"

AMENDMENT NO. 5

On page 7, line 20, following "shall" and before "a" insert "provide"

AMENDMENT NO. 6

On page 7, line 24, following "that" and before "credit" change "their" to "his or her"

On motion of Senator Lambert, the amendments were adopted.

**Floor Amendments Sent Up**

Senator Cravins sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Cravins to Engrossed Senate Bill No. 56 by Senator Fields

AMENDMENT NO. 1

On page 10, between lines 20 and 21, insert the following:

"N. Notwithstanding any provision of law to the contrary, a person's personal credit history shall not be used as criteria for determining a person's rates or whether they shall be insured by an underwriter."

On motion of Senator Cravins, the amendments were adopted.

The bill was read by title. Senator Fields moved final passage of the amended bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Adley	Fields	McPherson
Bajoie	Gautreaux	Michot
Barham	Heitmeier	Mount
Boissiere	Hines	Romero
Cain	Irons	Schedler
Chaisson	Johnson	Tarver
Cravins	Jones, B	Theunissen
Dardenne	Jones, CD	Thomas
Dupre	Lambert	Ullo
Total—27		

**NAYS**

Mr. President	Fontenot	Smith
Dean	Lentini	
Ellington	Malone	
Total—7		

**ABSENT**

Bean	Hollis	Marionneaux
Holden	Hoyt	
Total—5		

The Chair declared the amended bill was passed. The title was read and adopted. Senator Fields moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**Rules Suspended**

Senator Irons asked for and obtained a suspension of the rules for the purpose of advancing to the order of

**Senate Bills and Joint Resolutions on  
Third Reading and Final Passage,  
Subject to Call**

The following Senate Bills and Joint Resolutions on third reading and final passage, subject to call, were taken up and acted upon as follows:

**Called from the Calendar**

Senator Irons asked that Senate Bill No. 565 be called from the Calendar at this time for its final passage.

**SENATE BILL NO. 565—**

BY SENATORS IRONS, HAINKEL AND BAJOIE

**AN ACT**

To amend and reenact R.S. 9:242 and 243, relative to marriage; to provide that certain officiants in Orleans Parish may waive the seventy-two hour delay for non-resident marriages; to provide relative to penalties; and to provide for related matters.

**Floor Amendments Sent Up**

Senator Irons sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Irons to Engrossed Senate Bill No. 565 by Senator Irons

AMENDMENT NO. 1

Delete Senate Floor Amendments Nos. 1 through 3 proposed by Senator Irons and adopted by the Senate on March 7, 2003.

AMENDMENT NO. 2

On page 1, line 4, delete "for non-resident"

AMENDMENT NO. 3

On page 2, line 4, delete "for non-resident parties"

AMENDMENT NO. 4

On page 2, line 7, after "license." delete the remainder of the line and delete lines 8 and 9 in their entirety

On motion of Senator Irons, the amendments were adopted.

The bill was read by title. Senator Irons moved final passage of the amended bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Adley	Dupre	Jones, CD
Bajoie	Ellington	Michot
Barham	Fields	Mount
Boissiere	Gautreaux	Romero
Cain	Heitmeier	Tarver
Chaisson	Hines	Theunissen
Cravins	Irons	Ullo
Dardenne	Johnson	
Total—23		

**NAYS**

Dean	Lentini	Smith
Fontenot	Malone	Thomas
Total—6		

**ABSENT**

Mr. President  
Bean  
Holden  
Hollis  
Total—10

Hoyt  
Jones, B  
Lambert  
Marionneaux

McPherson  
Schedler

The Chair declared the amended bill was passed. The title was read and adopted. Senator Irons moved to reconsider the vote by which the bill was passed and laid the motion on the table.

### **Rules Suspended**

Senator Barham asked for and obtained a suspension of the rules for the purpose of reverting to the Morning Hour.

### **Messages from the House**

The following Messages from the House were received and read as follows:

#### **Message from the House**

##### **CONCURRING IN SENATE CONCURRENT RESOLUTIONS**

April 23, 2003

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally concurred in the following Senate Concurrent Resolutions:

##### **SENATE CONCURRENT RESOLUTION NO. 55—**

BY SENATOR B. JONES AND REPRESENTATIVES DOWNS AND GALLOT

##### **A CONCURRENT RESOLUTION**

To express the sincere and heartfelt condolences of the Legislature of Louisiana upon the death of George B. Holstead, Jr. of Ruston and the enduring gratitude of the members for his outstanding contributions to the city of Ruston, Lincoln Parish, and the state of Louisiana, particularly during his sixteen-year tenure as a distinguished member of the Louisiana House of Representatives.

Reported without amendments.

Respectfully submitted,  
ALFRED W. SPEER  
Clerk of the House of Representatives

### **Introduction of Senate Bills and Joint Resolutions**

Senator Lambert asked for and obtained a suspension of the rules for the purpose of introducing and reading the following Senate Bills and Joint Resolutions a first and second time and referring them to committee.

##### **SENATE BILL NO. 1045—**

BY SENATOR LAMBERT (BY REQUEST)  
AN ACT

To amend and reenact R.S. 13:312(1)(b), and 312.1(A), relative to court of appeal judges; to divide the first district of the Court of Appeal for the First Circuit into geographical election sections for the purpose of qualification and election; to provide relative to the term of office for such judges; to provide for effective dates; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Judiciary A.

### **Messages from the House**

The following Messages from the House were received and read as follows:

#### **Message from the House**

##### **ASKING CONCURRENCE IN HOUSE BILLS AND JOINT RESOLUTIONS**

April 23, 2003

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed and asks your concurrence in the following House Bills and Joint Resolutions:

##### **HOUSE BILL NO. 27—**

BY REPRESENTATIVES HILL, BOWLER, FAUCHEUX, FRITH, AND WALSWORTH

##### **AN ACT**

To enact R.S. 49:170.8, relative to state symbols; to provide that mayhaw jelly and cane jelly are the official state jellies of Louisiana; and to provide for related matters.

##### **HOUSE BILL NO. 233—**

BY REPRESENTATIVES ILES AND WELCH

##### **AN ACT**

To amend and reenact R.S. 46:1409(B)(5) and 1413(E), relative to child care facilities; to prohibit discrimination against breast-fed babies; and to provide for related matters.

##### **HOUSE BILL NO. 271—**

BY REPRESENTATIVE PITRE

##### **AN ACT**

To amend and reenact R.S. 56:649.3, relative to hunting and fishing licenses; to expand the privileges accorded under the combination lifetime hunting and sports fishing license; to provide for recreational fishing gear licenses; and to provide for related matters.

##### **HOUSE BILL NO. 273—**

BY REPRESENTATIVE TOOMY AND SENATOR LENTINI

##### **AN ACT**

To amend and reenact R.S. 16:51(A)(1), (2), (4), (7), (16), (17), (19), (22), (23), (24), (26), (32), (36), and (41), relative to assistant district attorneys; to provide for additional assistant district attorneys for certain judicial districts; and to provide for related matters.

##### **HOUSE BILL NO. 291—**

BY REPRESENTATIVE TOOMY

##### **AN ACT**

To enact R.S. 49:191(14)(introductory paragraph) and (a) and to repeal R.S. 49:191(12)(b), relative to the Department of Justice, including provisions to provide for the re-creation of the Department of Justice and the statutory entities made a part of the department by law; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; and to provide for related matters.

##### **HOUSE BILL NO. 406—**

BY REPRESENTATIVE L. JACKSON

##### **AN ACT**

To amend and reenact R.S. 40:2018.1(A), (B)(1)(introductory paragraph) and (a) and (b), (E), and (F), relative to the Louisiana Commission on HIV and AIDS; to change the name of the commission to the Louisiana Commission on HIV, AIDS and

Hepatitis C; to add hepatitis C to the responsibilities of the commission; to provide for membership on the commission; and to provide for related matters.

**HOUSE BILL NO. 509—**

BY REPRESENTATIVE MARTINY  
AN ACT

To enact R.S. 14:2(13)(gg), (hh), (ii), (jj), (kk), (ll), (mm), (nn), and (oo), relative to crimes of violence; to add certain crimes to the listing of crimes designated as crimes of violence; and to provide for related matters.

**HOUSE BILL NO. 560—**

BY REPRESENTATIVES JACK SMITH AND PIERRE  
AN ACT

To enact R.S. 34:851.36, relative to boating; to require boating safety courses for persons operating certain motorboats; to provide penalties for violations; and to provide for related matters.

**HOUSE BILL NO. 562—**

BY REPRESENTATIVES JACK SMITH AND PIERRE  
AN ACT

To repeal R.S. 34:851.8 and 851.31(B), relative to the operation of a motorboat; to repeal a prohibition on operation of a motorboat while intoxicated; and to repeal certain penalty provisions.

**HOUSE BILL NO. 589—**

BY REPRESENTATIVE FAUCHEUX  
AN ACT

To enact R.S. 1:55(E)(1)(d), relative to legal holidays; to require the clerk of court in the parishes of St. James and St. John the Baptist to close their offices on days proclaimed by the governor to be a holiday; to provide for an exception; and to provide for related matters.

**HOUSE BILL NO. 801—**

BY REPRESENTATIVE TOOMY  
AN ACT

To enact Chapter 1-C of Title 13 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 13:61, relative to the Judicial Council of the Supreme Court of Louisiana; to require the council to establish guidelines for the approval of the creation of new judgeships and offices of commissioner, magistrate, and hearing officer; to require the council to provide information to the appropriate standing committees of the legislature; to provide for exceptions; and to provide for related matters.

**HOUSE BILL NO. 469—**

BY REPRESENTATIVE SALTER  
AN ACT

To amend and reenact R.S. 56:643(B)(2), relative to hunting and fishing licenses; to provide for qualifications for a license available to state residents on active military duty; and to provide for related matters.

**HOUSE BILL NO. 815—**

BY REPRESENTATIVE MARTINY  
AN ACT

To amend and reenact R.S. 14:64.3, relative to attempted armed robbery; to provide for enhanced penalties when a firearm is used in the commission of the crime; and to provide for related matters.

**HOUSE BILL NO. 841—**

BY REPRESENTATIVE ANSARDI  
AN ACT

To amend and reenact R.S. 22:212(7)(c), relative to health and accident insurance; to provide relative to the method of delivery of health and accident insurance policies to policyholders by insurers or agents; and to provide for related matters.

**HOUSE BILL NO. 1142—**

BY REPRESENTATIVE DOWNER  
AN ACT

To enact R.S. 40:2405(F), relative to peace officer training requirements; to provide for a suspension of training requirements for certain Louisiana National Guard military police during certain emergency circumstances; and to provide for related matters.

**HOUSE BILL NO. 1293—**

BY REPRESENTATIVE MARTINY  
AN ACT

To amend and reenact R.S. 15:705(A)(2), relative to inmates who are incarcerated in parish prisons; to provide that either the sheriff or the governing authority of the parish may obtain reimbursement for certain expenses from inmates in parish prisons; and to provide for related matters.

**HOUSE BILL NO. 1434—**

BY REPRESENTATIVES HEBERT AND MORRISH  
AN ACT

To amend and reenact R.S. 22:642, relative to assignment of policies; to provide for viatical settlement providers; and to provide for related matters.

**HOUSE BILL NO. 1435—**

BY REPRESENTATIVES HEBERT AND BAYLOR  
AN ACT

To amend and reenact R.S. 22:163(A)(1), relative to life insurance policies; to provide for morality, interest, and other standards; to provide for policies; and to provide for related matters.

**HOUSE BILL NO. 1436—**

BY REPRESENTATIVES HEBERT AND FAUCHEUX  
AN ACT

To enact R.S. 22:170(D) and 176(14), relative to standard provisions of life insurance policies and group life policies; to provide for lump sum payment to the beneficiary; and to provide for related matters.

**HOUSE BILL NO. 1485—**

BY REPRESENTATIVES HEBERT AND FRUGE  
AN ACT

To amend and reenact R.S. 22:6(16), relative to credit insurance; to provide for definitions; and to provide for related matters.

**HOUSE BILL NO. 1537—**

BY REPRESENTATIVE HEBERT  
AN ACT

To amend and reenact R.S. 22:675(C)(2) and (5), relative to insurance; to provide for stop-loss; and to provide for related matters.

**HOUSE BILL NO. 1579—**

BY REPRESENTATIVE NEVERS  
AN ACT

To enact R.S. 10:9-309(14) and 9-311(a)(4) and Part IV-A of Chapter 4 of Title 34 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 34:852.1 through 852.23, to provide for titling and registering boats and outboard motors; to provide for declaration of policy; to provide for the use of funds; to provide for definitions; to provide for registration and certificates of title; to provide for cancellation and surrender of certificates of title; to provide for security interests; to provide for rules; to provide for penalties; and to provide for related matters.

Respectfully submitted,  
ALFRED W. SPEER  
Clerk of the House of Representatives

**House Bills and Joint Resolutions**

Senator Lambert asked for and obtained a suspension of the rules to take up at this time the following House Bills and Joint Resolutions just received from the House of Representatives with the view of acting on the same:

**HOUSE BILL NO. 27—**

BY REPRESENTATIVES HILL, BOWLER, FAUCHEUX, FRITH, AND WALSORTH

**AN ACT**

To enact R.S. 49:170.8, relative to state symbols; to provide that mayhaw jelly and cane jelly are the official state jellies of Louisiana; and to provide for related matters.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 233—**

BY REPRESENTATIVES ILES AND WELCH

**AN ACT**

To amend and reenact R.S. 46:1409(B)(5) and 1413(E), relative to child care facilities; to prohibit discrimination against breast-fed babies; and to provide for related matters.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 271—**

BY REPRESENTATIVE PITRE

**AN ACT**

To amend and reenact R.S. 56:649.3, relative to hunting and fishing licenses; to expand the privileges accorded under the combination lifetime hunting and sports fishing license; to provide for recreational fishing gear licenses; and to provide for related matters.

**HOUSE BILL NO. 273—**

BY REPRESENTATIVE TOOMY AND SENATOR LENTINI

**AN ACT**

To amend and reenact R.S. 16:51(A)(1), (2), (4), (7), (16), (17), (19), (22), (23), (24), (26), (32), (36), and (41), relative to assistant district attorneys; to provide for additional assistant district attorneys for certain judicial districts; and to provide for related matters.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 291—**

BY REPRESENTATIVE TOOMY

**AN ACT**

To enact R.S. 49:191(14)(introductory paragraph) and (a) and to repeal R.S. 49:191(12)(b), relative to the Department of Justice, including provisions to provide for the re-creation of the Department of Justice and the statutory entities made a part of the department by law; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; and to provide for related matters.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 406—**

BY REPRESENTATIVE L. JACKSON

**AN ACT**

To amend and reenact R.S. 40:2018.1(A), (B)(1)(introductory paragraph) and (a) and (b), (E), and (F), relative to the Louisiana Commission on HIV and AIDS; to change the name of the commission to the Louisiana Commission on HIV, AIDS and Hepatitis C; to add hepatitis C to the responsibilities of the commission; to provide for membership on the commission; and to provide for related matters.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 469—**

BY REPRESENTATIVE SALTER

**AN ACT**

To amend and reenact R.S. 56:643(B)(2), relative to hunting and fishing licenses; to provide for qualifications for a license available to state residents on active military duty; and to provide for related matters.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 509—**

BY REPRESENTATIVE MARTINY

**AN ACT**

To enact R.S. 14:2(13)(gg), (hh), (ii), (jj), (kk), (ll), (mm), (nn), and (oo), relative to crimes of violence; to add certain crimes to the listing of crimes designated as crimes of violence; and to provide for related matters.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 560—**

BY REPRESENTATIVES JACK SMITH AND PIERRE

**AN ACT**

To enact R.S. 34:851.36, relative to boating; to require boating safety courses for persons operating certain motorboats; to provide penalties for violations; and to provide for related matters.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 562—**

BY REPRESENTATIVES JACK SMITH AND PIERRE

**AN ACT**

To repeal R.S. 34:851.8 and 851.31(B), relative to the operation of a motorboat; to repeal a prohibition on operation of a motorboat while intoxicated; and to repeal certain penalty provisions.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 589—**

BY REPRESENTATIVE FAUCHEUX

**AN ACT**

To enact R.S. 1:55(E)(1)(d), relative to legal holidays; to require the clerk of court in the parishes of St. James and St. John the Baptist to close their offices on days proclaimed by the governor to be a holiday; to provide for an exception; and to provide for related matters.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 801—**

BY REPRESENTATIVE TOOMY

**AN ACT**

To enact Chapter 1-C of Title 13 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 13:61, relative to the Judicial Council of the Supreme Court of Louisiana; to require the council to establish guidelines for the approval of the creation of new judgeships and offices of commissioner, magistrate, and hearing officer; to require the council to provide information to the appropriate standing committees of the legislature; to provide for exceptions; and to provide for related matters.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 815—**

BY REPRESENTATIVE MARTINY

**AN ACT**

To amend and reenact R.S. 14:64.3, relative to attempted armed robbery; to provide for enhanced penalties when a firearm is used in the commission of the crime; and to provide for related matters.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 841—**

BY REPRESENTATIVE ANSARDI  
AN ACT

To amend and reenact R.S. 22:212(7)(c), relative to health and accident insurance; to provide relative to the method of delivery of health and accident insurance policies to policyholders by insurers or agents; and to provide for related matters.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 1142—**

BY REPRESENTATIVE DOWNER  
AN ACT

To enact R.S. 40:2405(F), relative to peace officer training requirements; to provide for a suspension of training requirements for certain Louisiana National Guard military police during certain emergency circumstances; and to provide for related matters.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 1293—**

BY REPRESENTATIVE MARTINY  
AN ACT

To amend and reenact R.S. 15:705(A)(2), relative to inmates who are incarcerated in parish prisons; to provide that either the sheriff or the governing authority of the parish may obtain reimbursement for certain expenses from inmates in parish prisons; and to provide for related matters.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 1434—**

BY REPRESENTATIVES HEBERT AND MORRISH  
AN ACT

To amend and reenact R.S. 22:642, relative to assignment of policies; to provide for viatical settlement providers; and to provide for related matters.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 1435—**

BY REPRESENTATIVES HEBERT AND BAYLOR  
AN ACT

To amend and reenact R.S. 22:163(A)(1), relative to life insurance policies; to provide for morality, interest, and other standards; to provide for policies; and to provide for related matters.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 1436—**

BY REPRESENTATIVES HEBERT AND FAUCHEUX  
AN ACT

To enact R.S. 22:170(D) and 176(14), relative to standard provisions of life insurance policies and group life policies; to provide for lump sum payment to the beneficiary; and to provide for related matters.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 1485—**

BY REPRESENTATIVES HEBERT AND FRUGE  
AN ACT

To amend and reenact R.S. 22:6(16), relative to credit insurance; to provide for definitions; and to provide for related matters.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 1537—**

BY REPRESENTATIVE HEBERT  
AN ACT

To amend and reenact R.S. 22:675(C)(2) and (5), relative to insurance; to provide for stop-loss; and to provide for related matters.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 1579—**

BY REPRESENTATIVE NEVERS  
AN ACT

To enact R.S. 10:9-309(14) and 9-311(a)(4) and Part IV-A of Chapter 4 of Title 34 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 34:852.1 through 852.23, to provide for titling and registering boats and outboard motors; to provide for declaration of policy; to provide for the use of funds; to provide for definitions; to provide for registration and certificates of title; to provide for cancellation and surrender of certificates of title; to provide for security interests; to provide for rules; to provide for penalties; and to provide for related matters.

The bill was read by title; lies over under the rules.

**Reports of Committees**

The following reports of committees were received and read:

**REPORT OF COMMITTEE ON**

**INSURANCE**

Senator Tarver, Chairman on behalf of the Committee on Insurance, submitted the following report:

April 23, 2003

To the President and Members of the Senate:

I am directed by your Committee on Insurance to submit the following report:

**SENATE BILL NO. 245—**

BY SENATOR HAINKEL  
AN ACT

To amend and reenact R.S. 22:636.2(A)(3), 636.4(E)(2)(a), 1382(A)(3)(a)(iv), 1401, 1402, 1403(D), 1404, 1404.1, 1404.2, 1404.3, 1405(A), (C), (D)(2) and (5), (G), and (I)(1)(a) and (2), 1406(A), (B), (C), (D)(7), and (E), 1406.1, 1406.2(1), the introductory paragraph of R.S. 22:1406.2(2), R.S. 22:1406.3(B) and (C), 1406.6(A), 1406.7, 1406.8(A) and (D), 1406.10, 1406.11, 1406.12, 1407, 1408(A) and (C), 1409(A), (B), (D), (E), and (G), the introductory paragraph of R.S. 22:1410(A), R.S. 22:1410(A)(1), (B) and (C), 1411, 1412(B), 1413(B), 1414(B), 1415, 1417(A) and (B), 1417.1, 1418, 1419(B), 1420, 1422, 1422.1, 1423(A), (B), and (E), 1424, 1431, 1432(1), the introductory paragraph of R.S. 22:1432(2), R.S. 22:1432(6), 1436(A) and (B), 1437(A)(1) and (2)(g) and (B), 1438(A)(1) and (C), 1440, 1441, 1442, 1443, 1444, 1446, 1447, 1459(A), and 2092.5(C)(2), R.S. 23:1392(1) and (8)(a) and 1395(A), R.S. 32:430(M) and 1043(A), R.S. 40:1299.44(A)(2)(b), (c), and (f) and (6)(a) and 1308(C)(6), to enact R.S. 22:1402.1, 1402.2, and 1402.3, and to repeal R.S. 22:15(B)(1)(h), 1406(F), 1450.4, and 1450.5, relative to insurance rate regulation; to limit the authority of the Louisiana Insurance Rating Commission; to provide for transition of certain functions, duties, and obligations from the commission to the Department of Insurance; to limit the authority of the department; to replace the commission with the department for receipt of certain reports, plans, and revenues; to permit the department to review and approve certain filings; to eliminate the rate making

requirements for certain property and casualty insurers; to permit the department to enforce certain rate reductions; to permit the attorney general to represent the citizens of the state before the department; to provide for appeals to the Louisiana Insurance Rating Commission; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 567—**  
BY SENATOR LENTINI

AN ACT

To enact R.S. 22:1514.3, relative to insurance policies; to provide for the surrender of a defendant for non-payment of premium; to provide for certain notification requirements upon surrender; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 601—**  
BY SENATOR LENTINI

AN ACT

To enact R.S. 22:1142.1, relative to insurers; to provide for certain licensing requirements for the solicitation of bail; to provide for certain prohibited activities; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 721—**  
BY SENATOR HAINKEL

AN ACT

To enact R.S. 22:1401.1 and repeal R.S. 22:1401(J)(2) and (3), relative to property and casualty insurance; to provide for a flexible rating process governed by the commissioner; and to provide for related matters.

Reported with amendments.

Respectfully submitted,  
GREGORY TARVER  
Chairman

**REPORT OF COMMITTEE ON**

**HEALTH AND WELFARE**

Senator Schedler, Chairman on behalf of the Committee on Health and Welfare, submitted the following report:

April 23, 2003

To the President and Members of the Senate:

I am directed by your Committee on Health and Welfare to submit the following report:

**SENATE BILL NO. 590—**  
BY SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 37:793(A)(1) and (2), (B)(1), (2), and (3), (D)(1) and (F), and to enact R.S. 37:795(B)(2)(q) and (r), relative to dentistry; to provide with respect to the administration of certain types of anesthesia; to provide for new fees; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 698—**  
BY SENATOR ULLO

AN ACT

To enact R.S. 40:2009.20(D), relative to abuse and neglect laws; to require hospitals to display laws which require mandatory reporting instances of abuse and neglect; to provide for such requirement to be permanently displayed in emergency rooms; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 866—**  
BY SENATOR SCHEDLER

AN ACT

To amend and reenact R.S. 37:3003(B)(1), relative to the State Board of Medical Examiners and occupational therapists; to provide for direct access to the services of occupational therapists; to eliminate the necessity for a referral to occupational therapy services; to increase the categories of medical professionals who can refer to occupational therapists; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 901—**  
BY SENATOR JOHNSON

AN ACT

To amend and reenact R.S. 40:1300.26 and 1300.46, relative to health; to authorize adoption of ordinances regulating smoking in the workplace and public places; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 966—**  
BY SENATOR SCHEDLER

AN ACT

To amend and reenact R.S. 46:2601(A)(3), 2602(A) and (B)(7), (D), and (E), 2603(A), 2604(B)(4), 2605(B)(7), (10), (20), (26), (37), and (38), (C) and (E), and 2607, and to enact R.S. 46:2602(B)(12) and 2604(E), relative to the Children's Cabinet; to provide for its duties; to provide for the membership of the cabinet; to revise membership on the advisory board; to extend the termination date of the cabinet; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 974—**  
BY SENATOR SCHEDLER

AN ACT

To enact R.S. 46:153.5 relative to Mental Health Rehabilitation Program providers; to provide for mandatory accreditation of providers of mental health rehabilitation services by an accreditation body; to provide authorization for rulemaking; and to provide for related matters.

Reported with amendments.

Respectfully submitted,  
TOM SCHEDLER  
Chairman

**REPORT OF COMMITTEE ON**

**SENATE AND GOVERNMENTAL AFFAIRS**

Senator Ullo, Chairman on behalf of the Committee on Senate and Governmental Affairs, submitted the following report:

April 23, 2003

To the President and Members of the Senate:

I am directed by your Committee on Senate and Governmental Affairs to submit the following report:

**SENATE BILL NO. 4—**

BY SENATOR MCPHERSON

## AN ACT

To amend and reenact R.S. 43:111.1, relative to public advertising; to prohibit the expenditure of any state funds for advertisement which mentions any elected official whether elected or appointed; to prohibit expenditure of public funds by any public entity for advertisement which mentions any elected official whether elected or appointed; to provide exceptions; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 23—**

BY SENATOR MARIONNEAUX

## AN ACT

To amend and reenact R.S. 24:14(G) and to enact R.S. 24:14(K), relative to Senate confirmation; to require certain persons appointed to boards and commissions who require Senate confirmation be reconfirmed at the beginning of each legislative term; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 30—**

BY SENATOR CAIN

## AN ACT

To amend and reenact R.S. 18:425, 541 and 542, relative to the opening and closing of the polls; to provide for the termination of voting; to provide for additional compensation of commissioners; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 343—**

BY SENATOR MCPHERSON

## AN ACT

To amend and reenact R.S. 29:281, relative to veterans' affairs; to establish the military honors funerals for veterans; to provide relative to the duties of the adjutant general with regard to the program; to provide for eligibility; to provide for compensation for members of the Louisiana Guard with respect to the program; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 727—**

BY SENATOR MCPHERSON

## AN ACT

To enact R.S. 24:653(K) and Part VIII-B of Chapter 1 of Subtitle 1 of Title 39 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 39:310, relative to legislative review; to require private entities to provide to the legislature information relative to the expenditure of revenue generated from the operation, management or control of public lands or facilities; to require the division of administration to develop a reporting form; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 927—**

BY SENATOR ADLEY

## AN ACT

To amend and reenact R.S. 24:35.1(A)(36) and (37), relative to senate districts; to provide for the redistricting of Senate Districts 36 and 37; to provide for the effectiveness of this Act; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 779—**

BY REPRESENTATIVES DEWITT, BRUNEAU, AND LANCASTER

## AN ACT

To amend and reenact R.S. 24:35.5(A)(11), (12), (13), (19), (20), (21), (62), (72), (73), (74), (75), (77), (82), (89), (91), (93), (94), (95), (96), (97), (98), (99), (100), and (101) and (B) as enacted by Act No. 3 of the Second Extraordinary Session of 2001, to provide with respect to the composition of House of Representative Districts 11, 12, 13, 19, 20, 21, 62, 72, 73, 74, 75, 77, 82, 89, 91, 93, 94, 95, 96, 97, 98, 99, 100, and 101, all to legislatively adopt, approve, and ratify the agreement of the parties in *The Louisiana House of Representatives, et al. v. John Ashcroft, et al.*, CA No. 1:02CV00062 (United States District Court for the District of Columbia) to secure a consent declaratory judgment in said matter; to provide for effective dates; and to generally and specifically and otherwise provide with respect thereto.

Reported favorably.

Respectfully submitted,  
CHRIS ULLO  
Chairman

**REPORT OF COMMITTEE ON****COMMERCE, CONSUMER PROTECTION AND  
INTERNATIONAL AFFAIRS**

Senator Hollis, Chairman on behalf of the Committee on Commerce, Consumer Protection and International Affairs, submitted the following report:

April 23, 2003

To the President and Members of the Senate:

I am directed by your Committee on Commerce, Consumer Protection and International Affairs to submit the following report:

**SENATE BILL NO. 421—**

BY SENATOR MCPHERSON

## AN ACT

To amend and reenact R.S. 37:2157(A)(2), relative to exemptions from licensure by the Louisiana State Licensing Board for Contractors; to clarify that the owners of property are exempt from licensure for certain constructions or improvements to their property; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 663—**

BY SENATOR HEITMEIER

## AN ACT

To enact R.S. 27:3(24), relative to the Louisiana Gaming Control Law; to provide for a definition of a "Louisiana business", "Louisiana company", or "Louisiana corporation"; and to provide for related matters.

Reported with amendments

**SENATE BILL NO. 668—**

BY SENATOR HEITMEIER

## AN ACT

To amend and reenact R.S. 45:844.12(4), relative to "telephone solicitation"; to provide an exception for telemarketing calls that do not complete a sale during the call; and to provide for related matters.

Reported with amendments

**SENATE BILL NO. 786—**

BY SENATORS MICHOT, CRAVINS, AND HOYT AND  
REPRESENTATIVES PINAC, ALEXANDER, BAUDOIN, BROOME,  
BRUCE, DANIEL, DURAND, FLAVIN, PIERRE, AND WALSWORTH

**AN ACT**

To enact Chapter 8-I of Title 45 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 45:844.21 through 844.27, relative to an information and referral system; to provide for the authority of the Public Service Commission, to create a planning board to make recommendations to the commission, to provide for the requirements of the system and procedure for its planning, implementation, operation, and associated costs; and to provide for related matters.

Reported with amendments

**SENATE BILL NO. 843—**

BY SENATOR MCPHERSON

**AN ACT**

To amend and reenact R.S. 45:844.14(A)(1), relative to the Telephone Solicitation Relief Act of 2001; provides relative to listing procedures; repeals the five dollar initial listing and renewal charge; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 895—**

BY SENATOR HOLLIS

**AN ACT**

To amend and reenact R.S. 51:924(A), relative to economic development; to provide for membership of the State Board of Commerce and Industry; to provide for terms of office; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 1029—**

BY SENATOR HOLLIS

**AN ACT**

To amend and reenact R.S. 51:2452(A), 2453(1)(b)(i), and 2453(4), relative to the quality jobs program; to provide that out-of-state employees relocating to Louisiana qualify as "new direct jobs" under the "Louisiana Quality Jobs Program Act"; to provide for technical and grammatical changes and for an effective date; and to provide for related matters.

Reported favorably.

Respectfully submitted,  
KEN HOLLIS  
Chairman

**Rules Suspended**

Senator Adley asked for and obtained a suspension of the rules for the purpose of taking up at this time.

**Senate Bills and Joint Resolutions  
on Second Reading  
Reported by Committees**

Senator Adley asked for and obtained a suspension of the rules to take up at this time the following Senate Bills and Joint Resolutions just reported by Committees.

**SENATE BILL NO. 927—**

BY SENATOR ADLEY

**AN ACT**

To amend and reenact R.S. 24:35.1(A)(36) and (37), relative to senate districts; to provide for the redistricting of Senate Districts 36 and 37; to provide for the effectiveness of this Act; and to provide for related matters.

Reported with amendments by the Committee on Senate and Governmental Affairs.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Original Senate Bill No. 927 by Senator Adley

**AMENDMENT NO. 1**

On page 3, line 10, after "approval," insert "However, if District Nos. 36 and 37 configured as provided in the provisions of Section 1 of this Act fail to receive preclearance pursuant to the Voting Rights Act (42 U.S.C. §1973) on or before August 15, 2003, the provisions of Section 1 of this Act shall be null, void, and without effect."

On motion of Senator Ullo, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

**Motion to Make Special Order**

Senator Adley asked for a suspension of the rules for the purpose of making Senate Bill No. 927, which was just advanced to a third reading and final passage, Special Order of the Day No. 1 on Thursday, April 24, 2003 immediately following the Morning Hour.

**Rules Suspended**

Senator Gautreaux asked for and obtained a suspension of the rules for the purpose of recalling Senate Bill No. 36 from the Committee on Natural Resources.

**SENATE BILL NO. 36—**

BY SENATORS GAUTREAUX AND HOYT

**AN ACT**

To repeal R.S. 56:303.1.1, relative to the fresh products license; to repeal the requirements for a fresh products license; and to provide for related matters.

On motion of Senator Gautreaux, the bill was read by title and withdrawn from the files of the Senate.

**Privilege Report of the Committee on  
Senate and Governmental Affairs**

**ENROLLMENTS**

Senator Ullo, Chairman on behalf of the Committee on Senate and Governmental Affairs, submitted the following report:

April 23, 2003

To the President and Members of the Senate:

I am directed by your Committee on Senate and Governmental Affairs to submit the following report:

The following Senate Concurrent Resolutions have been properly enrolled:

**SENATE CONCURRENT RESOLUTION NO. 6—**

BY SENATOR SCHEDLER

**A CONCURRENT RESOLUTION**

To urge and request development of an ongoing association between the state of Louisiana and the province of Alberta, Canada.



**SENATE CONCURRENT RESOLUTION NO. 22—**  
BY SENATOR HAINKEL AND REPRESENTATIVE DOWNER  
**A CONCURRENT RESOLUTION**

To memorialize the Congress of the United States to appropriate for and expedite funding of state and local homeland security activities.

**SENATE CONCURRENT RESOLUTION NO. 42—**  
BY SENATOR FIELDS  
**A CONCURRENT RESOLUTION**

To express sympathy and condolences of the legislature to the family of Earnestine Kinchen.

**SENATE CONCURRENT RESOLUTION NO. 44—**  
BY SENATOR IRONS  
**A CONCURRENT RESOLUTION**

To join in "Celebrating the French Quarter", to proclaim April 22, 2003, as "New Orleans Day at the Legislature", and to provide for suitable observance of this special day.

Respectfully submitted,  
CHRIS ULLO  
Chairman

The foregoing Senate Concurrent Resolutions were signed by the President of the Senate.

**Leaves of Absence**

The following leaves of absence were asked for and granted:

Bajoie	½ Day	Bean	1 Day
Boissiere	½ Day	Fields	½ Day
Gautreaux	½ Day	Heitmeier	½ Day
Holden	1 Day	Irons	½ Day
Johnson	½ Day	Marionneaux	½ Day
McPherson	½ Day	Ullo	½ Day

**Adjournment**

Senator Lambert moved that the Senate adjourn until Thursday, April 24, 2003, at 9:00 o'clock A.M.

The President of the Senate declared the Senate adjourned until 9:00 o'clock A.M. on Thursday, April 24, 2003.

MICHAEL S. BAER, III  
Secretary of the Senate

GAYE F. HAMILTON  
Journal Clerk